

Mississippi Vote Law Survives First Testing

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The complaint, filed under the federal civil rights laws, sought to declare unconstitutional Mississippi's 1954 voter registration laws and a 1956 law forbidding outside help in lawsuits against state agencies.

Darby named Atty. Gen. Joe Patterson and Jefferson Davis County Circuit Clerk James Daniel in the suit.

The three judges—Ben Cameron of the U.S. Fifth Circuit Court of Appeals, Claude Clayton of the Northern Mississippi District and Sidney Mize of the Southern District—upheld the laws, held the charges were not proved and dismissed the case.

The court said also that Daniel had been a "fair and patient public official."

Neither Darby nor Medgar Evers, Mississippi NAACP field secretary, would comment on whether an appeal is planned.

Darby charged that the voter registration laws were designed to discriminate against Negroes.

The judges cited a U.S. Supreme Court decision in another case, saying:

"...the Constitution vested in the registrar the full power...to ask all sorts of vain, impertinent questions, and...reject whomsoever he chooses, and register whomsoever he chooses..."

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Plaintiff in the suit was Rev. H. D. Darby of Prentiss, Miss., Negro who charged he was denied registration because of his race.

"The officer is the sole judge of the examination of the applicant, and even though the applicant be qualified, it is left with the officer so to determine; and the said officer can refuse him registration."

The three-judge court said the language in the 1954 constitutional amendment brought forward the same wording as the original section written in 1890 and noted the original section had not been contested before.

"To attack the language of amended Section 244, as being too vague and indefinite," the judges wrote, "is to ignore a long and unbroken line of decisions approving legislative enactments whose phraseologies are far more nebulous and difficult."

NAACP May Appeal Voter Law Decision Marshall Protests U.S. Ruling In Mississippi

NEW YORK, Nov. 11.—(UPI)—Chief NAACP lawyer Thurgood Marshall said Tuesday a Federal Court decision upholding Mississippi's voter registration procedures probably will be appealed to the United States Supreme Court.

Marshall said a decision on the appeal is expected by Wednesday.

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Negroes Urged To Be Voters

NAACP Seeks Registrations After Suit Refused

LAWS CONSTITUTIONAL

By KENNETH TOLER,
From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., Nov. 11.—Mass registration of Negroes was urged today by the National Association for the Advancement of Colored People following a three-judge Federal Court's dismissal of a suit attacking Mississippi's voter laws as discriminatory against Negroes.

Medgar Evers, field secretary in charge of the NAACP headquarters at Jackson, called on Negroes to seek to register in the 82 counties and if turned down to notify the newly created Civil Rights Commission.

An appeal expected Thursday dismissed the NAACP-financed

suit of Rev. H. D. Darby, Negro of Jefferson Davis County, paving the way for a direct appeal to the United States Supreme Court. An appeal is expected to be prepared by attorneys for the NAACP who represented the Negro minister in the case.

Rev. Darby had challenged a 1954 amendment to the voter law requiring applicants for registration to be able to read and write any section of the state constitution, give a reasonable interpretation of it to the county registrar and demonstrate to the registrar a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government.

Education Key
The court said the United States Supreme Court had held that the qualification of voters is a matter considered "exclusively to the states."

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The court said the United States Supreme Court had held that the qualification of voters is a matter considered "exclusively to the states."

As to the disparity between white and Negro registrants in Mississippi, a point raised in the Darby suit, the court said that results "doubtless from the fact that one race had a start of several centuries over the other in the slow and laborious struggle toward literacy."

"After six decades of an increasingly competent educational system, it seems moderate indeed for the electorate to lay upon itself the obligation of being able to read and write the basic laws of the commonwealth," the court said.

"At a time when alien ideologies are making a steady and insidious assault upon constitutional government everywhere, it is nothing but reasonable that the states should be tightening their belts and seeking to assure that those carrying the responsibility of suffrage understand and appreciate the form and genius of the government of this country of the states."

However, the court said Rev. Darby had failed to establish that the amendment was "the product of base motives."

The court said the written test requirement "is a legitimate exercise by the state of its sovereign rights to proscribe and enforce the qualification of voters."

"Under our constitutional system, the qualification of voters is a matter considered exclusively to the states and the Supreme Court of the United States has spoken on the subject in language as clear as it is decisive," the court said.

The decision was handed down here by Judge S. C. Mize of the Southern Mississippi Dis-

Negro's Test Of Vote Law Is Dismissed

Three-Judge U.S. Panel In Mississippi Says 'No Base Motive' Seen

Commercial SUIT BACKED BY NAACP

Appeal Appeal For Rev. H. D. Darby Expected — Written Exam Upheld As State's Right In Registration

By KENNETH TOLER
From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., Nov. 6.—A suit challenging constitutionality of Mississippi's voter registration law as being discriminatory against Negroes was dismissed Thursday by a three-judge Federal court.

Rev. H. D. Darby, Negro of Jefferson Davis County, contested the statute in an NAACP-financed case on grounds a 1954 amendment upgrading voter qualifications by requiring applicants to take written tests was aimed directly at Negroes.

He charged the provision was being used to keep Negroes from registering.

Test Called Legitimate
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trict Court, on behalf of himself and Judge Ben Cameron of the Fifth District Court of Appeals and Judge Claude Clayton of the Northern Mississippi District Court.

Appeal Is Expected

An appeal is expected from the National Association for the Advancement of Colored People attorneys who represented Rev. Darby. The appeal will go direct to the United States Supreme Court.

An intervention in the case by Ruth Dillon, 82-year-old Negro of Prentiss County, was also dismissed by the court.

Defendants in the suit were Atty. Gen. Joe Patterson and James Daniel, circuit clerk and registrar of Jefferson Davis County.

A contention that Mississippi's statute covering champerty and maintenance which makes it unlawful to solicit funds for filing suits was ruled out by the court on grounds it was not used in the present case.

Failed Several Times

The judges also ruled the suit could not be maintained under the recent Civil Rights Law permitting bypass of regular channels before exhausting all avenues of administrative relief.

Rev. Darby failed several times on examinations, and appealed one of the actions of the registrar to the County Election Board. However, he did not prosecute that appeal.

"It follows that plaintiff cannot maintain this action for the additional reason he failed to pursue the reasonable and adequate administrative remedies provided by Mississippi law," the court said.

Pointing out that Mr. Daniel was under surveillance by Federal officials, the court said the county official was a "conscientious, patient and fair public official, exerting every effort to do a hard job in an honorable way."

Rev. Darby had reported his situation to President Eisenhower and FBI agents had investigated.

Witness tells of vote purge in Mississippi

By DOUGLAS STARR
JACKSON, Miss., July 23—(AP)—A special witness in Negro's attempt to overthrow Mississippi's voter registration laws testified today that he was purged from the state's registration rolls two years ago.

Ernest Lockhart of Milwaukee, Wis., said he was purged from the Jefferson Davis County registration rolls in 1956 and refused re-registration.

LOCKHART, who has served 11 years as principal of various Jefferson Davis County schools,

Camera grabbed

During the trial, Federal Court officials confiscated exposed film from the camera of Edith Haynie, Birmingham News staffer in Mississippi.

Mrs. Haynie, chief of The News' Northeast Mississippi Bureau in Tupelo, had taken several natural light pictures in the Jackson courtroom when the film was seized.

Mrs. Haynie said she had taken pictures during recess in other federal courts in Mississippi without incidence.

said Circuit Clerk James Daniel told him:

"I'm not supposed to register you" when he sought to re-register.

R. Jess Brown, Vicksburg attorney for the Rev. H. D. Darby of Prentiss, testified he was receiving legal and financial aid for the legal defense and education fund of the National Assn. for the Advancement of Colored People.

Darby filed the suit charging that he was refused re-registration as a voter because he is a Negro.

Meanwhile, attorneys studied hundreds of applications filed in 1956-57 by citizens who registered in Jefferson Davis County after the board of supervisors ordered a re-registration.

Mrs. Constance Baker Motley of New York, hired by the National Assn. for the Advancement of Colored People,

said yesterday she intended to prove that the application of the laws discriminates against Negroes.

"I expect to show," she told the special three-judge federal court, "that the constitution is designed to limit Negro voting; that the standard is arbitrary; that is, it permits the registrar to determine who will vote; that policy, custom and usage in Mississippi are used to limit

Negro voting, and that very few Negroes are permitted to register and vote."

THE NAACP-FINANCED civil rights suit filed by the Rev. H. D. Darby of Prentiss, a part-time preacher, who charged he was refused re-registration as a voter because he is a Negro.

Yesterday, 16 Negro witnesses from Jefferson Davis County testified that during the 1956 re-registration Circuit Clerk James Daniel required them to qualify under a 1954 law regardless of whether they had been registered before Jan. 1, 1954.

Four of the 16 were re-registered.

The laws Mrs. Motley seeks to overthrow are: The 1890 constitutional provision which requires prospective voter registrants to read or interpret any section of the constitution, and a 1954 amendment which requires a reasonable understanding of citizenship.

The 1954 amendment specifically does not apply to persons registered before 1954.

THE CIRCUIT CLERK, who registers voters, is the sole judge of whether the applicant should be registered.

The NAACP has charged that of the 1300 registered Negro voters in Jefferson Davis

County, fewer than 100 were on the books after the 1956 re-registration.

Registration Suit Trial Date Set

Negro Contends Law Is Discriminatory

MINISTER 'FAILED' TEST

By KENNETH TOLER

From The Commercial Appeal, Jackson, Miss., Bureau

JACKSON, Miss., July 7.—Federal Judge Sidney Mize Monday set July 22 for trial of a suit attacking Mississippi's voter registration law as being discriminatory against Negroes.

It will be heard in Jackson before Judge Mize of the Southern Mississippi District, Judge Claude Clayton of the Northern Mississippi District and Judge Ben Cameron of the United States Fifth District Court of Appeals at New Orleans.

The suit by Rev. H. D. Darby, Negro minister of Jefferson Davis County, was filed by attorneys for the National Association for the Advancement of Colored People. It also attacks two state laws requiring out-of-state lawyers to be "cleared" by the State Board of Bar Admissions in order to practice in court in the state and prohibiting "fomenting and agitating" suits through solicitation of funds.

Answers Filed

Defendants are State Atty. Gen. Joe T. Patterson and James Daniel of Prentiss, circuit clerk and registrar of voters in Jefferson Davis County.

Meanwhile Circuit Clerk Daniel filed answers Monday to interrogatories filed by Rev. Darby. They were ordered by Judge Mize on request of the plaintiff after the state had secured answers from Rev. Darby in a disposition hearing at Prentiss.

In his suit, Rev. Darby charges that he was denied registration because of his race. He also said he was filing the action as a "class suit" for other Negroes "similarly situated" because he asserted they were afraid to take action under fear of reprisals.

The state has filed a petition to confine the suit to the case

of the Negro minister and remove the "class" designation.

Circuit Clerk Daniel said the Negro minister had failed to comply with the statute in passing a written test. He also said Rev. Darby had not followed through on an appeal from the clerk's ruling to the Jefferson Davis County Election Commission.

Other Claims Made

Circuit Clerk Daniel's answer also stated—

That Rev. Darby was not able to read a section of the State Constitution submitted to him as required, nor was he able to understand the same when read to him or give a reasonable interpretation thereof.

Mr. Daniels said Rev. Darby "left entirely blank that portion of the application for registration."

The clerk also said that Rev. Darby "failed to express or demonstrate any understanding whatsoever of the duties and obligations of citizenship under a constitutional form of government, and, in fact, left entirely blank that portion of the application for registration."

"Plaintiff completely abandoned his said attempt to register by leaving said incompleting application lying on a table and walking out of this defendant's office," the answer stated.

The clerk also said Rev. Darby had failed to properly answer the question requesting the date when his residence in the district began by "giving an impossible date, he having designated the date to be 1984."

Age Questioned

"Although he stated he was 49 years of age in answer to one of the questions in the application he said he had resided in Mississippi 40 years, yet he said in another place that his prior residence was Alabama," the clerk's answer pointed out.

"Plaintiff failed to properly answer Question No. 17 on said application in that he stated the length of his residence in the election district to be '4' without indicating whether this figure referred to hours, days, months, years or any other period of time."

Circuit Clerk Daniel also said that Rev. Darby "failed to write correctly Section 123 of the Mississippi Constitution of 1890 which was designated and pointed out to him by this defendant for the purpose of determining plaintiff's ability to write and copy the same," the clerk said.

Say Miss. can reject vote bids

JACKSON, Miss. — A special three-judge federal court last week dismissed the suit brought by the Rev. H. D. Darby in an effort to overturn Mississippi's constitutional requirements for voting.

The Rev. Mr. Darby's complaint, filed as the result of the registration denial in Jefferson Davis County, sought to have the court declare Mississippi's 1954 voter registration laws and a 1956 law forbidding state agencies unconstitutional.

The Rev. Mr. Darby's suit was filed under Federal civil rights laws and financed by the NAACP.

The three-judge panel consisted of Ben Cameron of the Fifth U.S. Circuit Court of Appeals, Claude Clayton of the Northern Mississippi District and Sidney Mize of the Southern.

IN ANSWER to the Rev. Mr. Darby's claim that the Mississippi voter registration laws were designed to discriminate against colored people, the judges cited a U.S. Supreme Court decision in another case which had held that "... the Constitution vested in the registrar the full power ... to ask all sorts of vain, impertinent questions, and ... reject whomsoever he chooses and register whomsoever he chooses."

Both the Rev. Mr. Darby and Medgar Evers, field secretary for the Mississippi NAACP, declined comment on whether an appeal is planned.

Negro Vote Registration Up In Delta

GREENVILLE, Miss. (Special)—The Negro population of Greenville, which is about 90 per cent, are registering to vote without difficulty, a survey revealed here yesterday.

Since voter registration began for the city Oct. 1, 29.1 per cent of the voting citizens are Negroes. A total of 1570 persons have registered and 457 of these are Negroes.

About 60 per cent of the residents of Washington County are Negroes. Percentages from the last county registration which was in 1951 show 13 per cent of the voters are Negroes.

Mayor George Archer said the Greenville city council had called for voter re-registration in an effort to bring the books up to date.

Wanted: Able-bodied Martyrs

The NAACP has asked a three-judge Federal District Court, sitting in Mississippi, to wipe out that state's 1954 voter registration laws and a 1956 law forbidding outside help in pressing law suits against state agencies.

The legal attack on Mississippi legislative injustice is timely.

Here's a state where forty-five per cent of the vote should be colored, and where it is actually less than one per cent.

In one Mississippi county, where colored citizens are in the majority, these crooked state laws limit the number of qualified colored voters to only 50.

THE NEW Federal Civil Rights Commission needs to look into this matter of the restriction of the ballot.

Officials of that agency tell us it can not do so until it receives sworn statements from individuals that they have been barred from registering because of their race or color.

The simple filing of an affidavit by an individual in states like Mississippi will subject that person to threats, intimidation, economic reprisal and even bodily harm.

* * *

THE FEDERAL Civil Rights Act was designed to make an individual stick his neck out and be willing to make a supreme sacrifice if he wanted to enjoy his right to vote as a first-class citizen in the second-class areas of this nation.

But if that is the only way to freedom, some martyrs must volunteer, and the NAACP and the rest of us must find a way to protect them.



PRINCIPALS IN VOTING CASE: Pictured above are the principal actors in the voting case of Rev. H. D. Darby which opened before a three-judge Federal Court here Tuesday morning. They are left to right, Mrs. Constance Baker Motley, lawyer, NAACP legal staff, R. Jesse Brown, lawyer, Vicksburg, and Rev. H. D. Darby, the plaintiff in the case.

Mississippi Suit Hits Voting Laws

Federal Court To Hear Negro's Complaint
Commercial TRIAL BEGINS TUESDAY

By JOHN HERBERS
United Press International Staff

JACKSON, Miss., July 19.—A twice rejected Rev. Darby's lawsuit seeking to invalidate application to register "solely on Mississippi's election laws and account of race and color, purporting to be on the ground they want to long established policy, are used to discriminate against customs and usage of the state Negroes is scheduled to go on of Mississippi of refusing to permit here Tuesday before three Negroes to register."

Federal judges, all Mississippians. The suit is being financed by defendants answered that the National Association for the Advancement of Colored People. The hearing is set for 9 a.m. failed to meet requirements set in United States District Court in the state law and Constitution.

Southern Mississippi District, Rev. Darby contended his ap- Ben F. Cameron of the Fifth Circuit Court of Appeals and Claude Clayton of the Northern Mississippi District. Judge Mize is from Gulfport, Judge Clayton from Tunica and Judge Cameron from Natchez. The Negro plaintiff, Rev. H. D. Darby, charged this pro- he was barred from registering because of his race. The Negro plaintiff, Rev. H. D. Darby, charged this pro- he was barred from registering because of his race.

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Jefferson Davis County Registrar James Daniel Prentiss, also a defendant; two assistant attorneys general, John Price and Dugas Shands, and Prentiss attorneys R. G. Livingston and Joe Dale. Attorney General Patterson will be represented by himself and his assistants.

Attorneys have not disclosed the number or identity of witnesses expected to be called in the case. Federal officers have served subpoenas on 32 Jefferson Davis County Negroes on behalf

of Rev. Darby.

Judge Mize has ruled that all written voter applications filed in Jeff Davis County during 1956 and 1957 be produced at the hearing. The ruling was made this week on a motion filed for Rev. Darby.

The suit, filed under the new Federal civil rights law, seeks to enjoin Registrar Daniel from barring persons from registering because of color. It asks that a provision of the State Constitution setting up voting requirements be declared in violation of the Federal Constitution.

It charges that Mr. Daniel failed to register "solely on Mississippi's election laws and account of race and color, purporting to be on the ground they want to long established policy, are used to discriminate against customs and usage of the state Negroes is scheduled to go on of Mississippi of refusing to permit here Tuesday before three Negroes to register."

Jurisdiction Disputed

In answer to the complaint the Federal Court does not have jurisdiction and said Rev. Darby failed to meet requirements set in United States District Court in the state law and Constitution.

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Jefferson Davis County Registrar James Daniel Prentiss, also a defendant; two assistant attorneys general, John Price and Dugas Shands, and Prentiss attorneys R. G. Livingston and Joe Dale. Attorney General Patterson will be represented by himself and his assistants.

Attorneys have not disclosed the number or identity of witnesses expected to be called in the case. Federal officers have served subpoenas on 32 Jefferson Davis County Negroes on behalf

3-Judge U. S. Court Hearing Mississippi Vote Complaints

JACKSON, Miss. — (UPI) —

Fourteen Jefferson Davis County Negroes testified in Federal Court Tuesday they were purged from the voter registration books in 1956 and were kept from re-registering under a new constitutional amendment increasing the requirements.

Three others testified they were permitted to register again after passing a written examination called for in the amendment.

Testimony came in the first day of the trial of a suit in which the National Association for the Advancement of Colored People is challenging the state's system of registering voters.

PARADE OF WITNESSES

The Rev. H. D. Darby, Negro minister of Prentiss and Plaintiff in the suit, led the parade of witnesses to the stand before a panel of three Federal judges appointed to hear the case.

Darby's attorney, Mrs. Constance Baker Motley of New York, pointed out that the 1954 amendment increasing requirements to register specifically said it would not apply to those registered prior to January 1, 1954.

All but one of the 17 Negro witnesses said they were registered before that date but that they were required to take the test prescribed in the amendment to write a reasonable interpretation of any section of the state constitution and write a short essay on the duties of citizenship.

Prior to ratification of the amendment in 1954 the requirement was for voters to be able to read any section of the state constitution or give a moral interpretation of it when read to him.

Mrs. Motley asked each of the witnesses to read a section of the constitution on the witness stand and all succeeded.

Assistant State Atty. Gen. Dugas Shands, chief defense council, objected to witnesses reading the constitution on ground that what they can do now is no evidence of their ability at the time they took the tests.

Cameron, hearing the case with Judge Sidney Mize of the South-

ern Mississippi District and Claude Clayton of the Northern Mississippi District, said the court would

Negroes Charge Purges,

New Amendment barred

Them From The Polls

reserve a ruling on that point when the case is decided on its merits.

STATE OFFICIALS ON TRIAL

Defendants in the case are State Attorney General Joe Patterson and Jefferson Davis County Circuit Clerk and Register James Daniel, accused of preventing Negroes from registering because of their race.

Darby had been a registered voter since 1950 and said he even voted for Daniel in 1955. After the new registration was ordered, he twice failed to pass an examination under the new amendment. He charged in the suit that he and other Negroes throughout the state were discriminated against.

BARRED NEGROES

FROM POLLS

Mrs. Motley said she would prove the amendment was put on the books "for the express purpose" of barring Negroes from the polls.

Those who testified they were denied registration under the amendment were:

Darby, his wife; Rutha Dillon, 82; Genora Holloway, a housewife and former teacher; Cason Holloway, Sanka Phillips, Dudley Hawthorn, John F. Barnes, John H. Lewis, J. C. Burns, Wadell Gray, Louis W. Easterling, a teacher; Eva W. Easterling, a teacher; and Flora Haynes, all of Prentiss or nearby.

Maybelle W. Armstrong, a housewife and teacher, testified she passed the examination and was registered after the fourth clerk.

John Williams and J. H. Armstrong said they passed on the first examination.

Mississippi Negro Seeks To Enter Vote Bias Suit

NEGRO VOTING TRIAL IS ON IN MISSISSIPPI

JACKSON, Miss. (AP) — A Jefferson Davis County Negro, charging class discrimination, sought federal court permission Wednesday to enter the voter registration suit filed by the Rev. H. D. Darby of Prentiss.

Mrs. Rutha Dillon of Prentiss filed the motion to enter the case and be affected by the decision.

The original suit, first such civil rights complaint in Mississippi and filed as a class action, charges that Darby was removed from the county voter list and denied re-registration. He charged racial discrimination.

Mrs. Dillon contended she is a member of the class whose rights Darby claimed were violated and that she testified in the Darby case that her "right to relief arises out of the enforcement of the same policy" Darby complained of.

She also contended that permitting her to join the suit and abide by the decision would avoid a multiplicity of suits involving the same issues.

However, unlike Darby, Mrs. Dillon has not been registered before and must abide by a 1944 constitutional amendment requiring new registrants be able to read, write and interpret a section of the Constitution and give a reasonable interpretation of the duties of citizenship.

Both interpretations are subject to the judgment of the circuit clerk.

The Darby case was heard by a special three-judge federal court which gave both sides time to file additional briefs. Neither brief has been filed and the decision is pending.

JACKSON, Miss., July 22 (UPI) — An attorney charged today a trial challenging Mississippi election laws that the state constitution was amended in 1954 "for the express purpose of limiting the number of Negroes to vote."

Mrs. Constance Baker Motley, New York attorney for the National Association for the Advancement of Colored People, told the United States District Court that Negroes had traditionally been kept from voting in Jefferson Davis County.

The trial, started from a suit brought against James Daniel, Jefferson Davis County Circuit Clerk and Registrar, and State Attorney General Joe Patterson by the Rev. H. D. Darby, a Negro minister.

The suit seeks to declare unconstitutional Mississippi's system of voter registration. Mr. Darby said he had been unable to register for two years.

Under the constitutional provision, voters are required to read or write any section of the state constitution, give a reasonable interpretation of it in writing and write a short essay of duties of citizenship in a democracy.

Mr. Daniel, first witness to take the stand, said under questioning that he had no book or guide to go by in determining whether applicants for registration gave a reasonable interpretation of the constitution.

Lawsuit To Open On Voting Rights

Federal Judges Will Hear

Darby Case Tomorrow
NAACP SENDS LAWYERS

By United Press International

JACKSON, Miss., July 21.—A panel of three Federal judges will open hearings Tuesday on a lawsuit in which a Prentiss Negro minister is seeking to have Mississippi's system of registering voters declared unconstitutional.

Financed By NAACP

The case, brought last March by the Rev. H. D. Darby and financed by the National Association for the Advancement of Colored People, is set for 9 a.m. in United States District Court.

Rev. Darby contends he was denied the right to register because of his race and charged the state's rigid voting requirements are used to bar Negroes from the polls. He named as defendants Jefferson County Circuit Clerk James Daniel and

Atty. Gen. Joe Patterson.

Mr. Daniel and Mr. Patterson, in answer to the suit, said Rev. Darby failed to pass the examination required of all voters and defended the constitutionality of the state requirement.

Requirements Cited

A section of the state Constitution requires prospective voters to read and write any section of the Constitution, give a reasonable interpretation of it and write a short essay on the duties of citizenship in a democracy.

Hearing the case will be Judges Ben F. Cameron of Meridian, a member of the United States Fifth Circuit Court of Appeals; Sidney Mize of Gulfport and Mississippi's Southern district; and Claude Clayton of Tupelo and Mississippi's Northern district.

May Be Prolonged

Attorneys said the hearing could last for several days.

Negro attorney R. Jess Brown of Vicksburg and New York attorney Constance Baker Motley will present the case for Darby. Mr. Patterson, two of his as-

assistants, and Prentiss attorneys R. G. Livingston and Joe Dale are defense attorneys.

REQUEST FILED IN RIGHTS CASE

Wants to Be Included in
'Voter' Suit

By DOUGLAS STARR
(Associated Press Staff Writer)

JACKSON, MISS. (AP)—Mrs. Rutha Dillon, a Prentiss Negro, asked a federal district court judge to be included in a lawsuit filed by the Rev. H. D. Darby of Prentiss, charged Jefferson Davis county circuit clerk James Daniel discriminated against him because he is a Negro. He also attacked Mississippi's traditionally segregated way of life.

Darby charged he was purged from the voter list and has been denied permission to re-register. He testified he has voted and is qualified to register.

During the hearing, Daniel testified he believed a 1955 constitutional amendment tightening voter registration requirements was applicable to registrants as well as to new registrants.

Mrs. Dillon, who testified in the Darby hearing, contended in her motion that her right to relief "arises out of the enforcement of the same policy" Darby complained of.

She also held that permitting her to join the case would avoid a multiplicity of suits involving the same issue.

Her situation differs slightly, she said, because she has not been registered before and must abide by the requirements that include reading and interpreting a section of the constitution and defining the duties of citizenship, both to the satisfaction of the circuit clerk.

No date has been set for either hearing Mrs. Dillon's motion or rendering a final decision in the original case.

The National Association for the Advancement of Colored People, which financed the Darby suit, has claimed the 1956 re-registration in Jefferson Davis county resulted in removal of more than 1000 Negroes from

the voter lists. Circuit clerk Daniel testified about 50 Negroes are registered in the county.

Voter Applications Ordered By Court

NAACP Financed Suit Will

Be Heard Tuesday

JACKSON, Miss., July 18.—

(UPI) — Federal Judge Sidney Mize ordered Friday that all written voter applications filed in Jefferson Davis County during 1956 and 1957 be produced at Tuesday's hearing of a lawsuit challenging the state's registration procedure.

Judge Mize, acting on a motion filed by attorneys for Rev. H. D. Darby, Negro, ordered that co-defendant James Daniel, Jefferson Davis County circuit clerk, produce the applications.

Rev. Darby's suit, financed by the NAACP, will be heard by a court consisting of three Mississippi Federal judges.

Meanwhile, Federal officers were serving subpoenas on 32 Jefferson Davis County Negroes for the hearing. The Negroes were described as "friendly witnesses" for Rev. Darby.

Single Shot Voting Could Elect Negro

Hinds Tells Senatobia Club
Of 80,000 Bloc

SENATOBIA, Miss., Sept. 26.—

Shelby County Sheriff M. A. Hinds told the Senatobia Rotary Club Friday that Negro voters in Memphis may be able to elect a Negro commissioner through "single shot" voting.

Sheriff Hinds explained that if 80,000 Negroes are qualified to vote in Memphis, they can probably elect a Negro commissioner by voting for a single candidate in the commissioner's race.

He said about 50,000 Negroes are registered to vote in Memphis, but said National Association for the Advancement of Colored People spokesmen claim they will have 80,000 soon.

Sheriff Hinds, who was introduced by Tate County Sheriff Joe Taylor, said NAACP members in Memphis are pushing their

voter registration drive by meeting Negro automobile owners as they go to purchase car license plates and then escorting them to obtain permanent voter registration cards.

Voting Case Is Expanded

By ASSOCIATED PRESS

A Jefferson Davis County Negro, charging class discrimination, sought federal court permission today to enter the voter registration suit filed by the Rev. H. D. Darby of Prentiss. Rutha Dillon of Prentiss filed motion to enter the case and be affected by the decision.

The original suit, filed as a class action in Mississippi and filed as class action, charges that Darby was removed from the county voter list and denied re-registration. He charged racial discrimination.

The Dillon woman contended she is a member of the class whose rights Darby claimed were violated and that she testified in the Darby case that her "right to relief arises out of the enforcement of the same policy" Darby complained of.

She also contended that permitting her to join the suit and abide by the decision would avoid a multiplicity of suits involving the same issues.

However, unlike Darby, the woman has not been registered before and must abide by a 1955 constitutional amendment requiring new registrants be able to read, write and interpret a section of the constitution and give a reasonable interpretation of the duties of citizenship.

Both interpretations are subject to the judgment of the circuit clerk. Mississippi has no Negro circuit clerks.

The Darby case was heard by a special three-judge federal court case which gave both sides time to file additional briefs. Neither brief has been filed and the decision is pending.

It is certain to be appealed.

Mississippi Acts to Slow Negro Voter Registration

New Law Creates Inferior Court To Replace Clerks as Registrars

By KENNETH TOLER

Mississippi Bureau, The Memphis Commercial Appeal
Special to The Atlanta Journal-Constitution

JACKSON, Miss., April 5—Mississippi has taken legal steps through legislation to slow down the registration of Negroes as qualified electors in the face of a statewide campaign to increase their voting strength.

It stems from a suit filed in federal court at Jackson by a Negro minister challenging the present registration statutes and the discretionary powers given registrars (circuit clerks) in the 82 counties in passing on the qualifications of applicants.

Gov. J. P. Coleman urged the current biennial session of the legislature to change the system. He did it in a special appearance before the House and Senate in joint session the day after the suit was filed.

Final legislative action to change and strengthen the system was taken during the week in Senate passage of a House bill. The measure now awaits only the assured approval of the governor.

Gov. Coleman had anticipated a challenge of the statute following passage of the federal civil rights law. He warned a special

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legislative session last November to take action.

The governor recommended that the circuit clerks be relieved of that function, asserting that few of them are lawyers and "not prepared to cope on an equal footing with the voting onslaughts we are just before experiencing under the Civil Rights Act."

The measure, which Gov. Coleman will sign as soon as the

necessary preliminaries to preparing it for his consideration are completed, creates an "inferior court" to handle voter registrations. It will be presided over by an official to be appointed by the chancery court judges.

The judicial status given the new system will strengthen its decisions and actions. At present, the circuit clerk merely transforms himself into a registrar when an application is presented, and handles it as an additional function to his regular duties.

A judicial decision by a court will now be rendered rather than the mere denial by a registrar who has the authority to determine whether an applicant has satisfied him in answering questions in the required written test.

The present statute is under attack in the federal court suit largely because of the discretionary powers vested in the registrar as to whether an applicant gives "reasonably accurate" answers to the questions.

To Employ Attorney

The new "inferior court" will hold regular terms of five days a month. At present, an applicant may present himself daily to the registrar until he has passed the test.

An attorney will be employed to assist the presiding officer of the "inferior court." The circuit clerk will serve as clerk of the court.

The county sheriff, who is the

chief law enforcement officer, is delegated as officer of the court.

Speedy Senate action during the week followed a state-wide mass meeting in Jackson of Negroes last Sunday. The key-note was Clarence Mitchell of the Washington office of the National Assn. for the Advancement of Colored People. It was sponsored by the state NAACP, the Regional Council of Negro Leadership and the Progressive Voters League.

The Rev. H. D. Darby, pastor of the African Methodist Episcopal Church at Prentiss, in Jefferson Davis County, who filed the lawsuit, attended the meeting.

The meeting followed by one week action of the executive committee of the Mississippi department of the American Legion in revoking the charter of the Negro post in Jackson because its officers assertedly were active in the NAACP and participated under "color" of Legionnaires. The post has appealed the revocation to the national committee.

Mitchell told the rally that Mississippi can expect more federal court suits in support of Negroes' voting rights. He said any Negro aggrieved will be assisted by the national organization.

Incidentally, three of the attorneys in the Darby suit are members of the NAACP's legal staff in New York.

Promises Help

Mitchell said that "we have filed one suit in one county, but you have 82 counties and if there are 82 complainants who have been denied the right to vote and 82 come to us for help, we'll give all 82 the same help."

The Washington NAACP official also criticized a Jackson Negro editor, Percy Greene, who suggested in his weekly newspaper that he (Mitchell)

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stay on his job in Washington instead of "coming here and disturbing the harmony that exists between the races in Mississippi."

Speakers disclosed that regular classes are being held to instruct Negroes on various phases of the state constitution, which must be interpreted to the satisfaction of the registrar as a prerequisite to registering. The curriculum also includes the responsibility of citizenship under constitutional form of government which must be "demonstrated" to the satisfaction of the registrar.

NEW REGISTRARS BILL APPROVED

Miss. Senate Okays Voter Registration Law

By W. F. MINOR
(Times-Picayune Staff Correspondent)
JACKSON, Miss. — Mississippi's revised legal strategy to curb Negro voter registrations Tuesday cleared the Legislature and was sent to the governor for signature.

The measure replaces county circuit clerks as voter registrars in Mississippi with a special registrar named by the chancery court judge.

The new voter registrars would become inferior courts which would only meet one day a month or on other days set by the registrar to receive registrants.

Final passage of the measure came by unanimous vote in the Senate where several attempts to amend the bill were shouted down. The bill had passed the House without opposition a week ago.

Senators guardedly skirted the race issue in discussing the measure on the floor.

Sen. Earl Evans Jr. of Canton said the bill was designed to "place this matter that concerned."

He said registrars under the bill would "have to have his books open only on certain days and under certain conditions."

Rejected by the Senate was an amendment by Sen. George Owens of Pontotoc to provide

that the chancery judge could appoint the circuit clerk as registrar if he chose.

PROVIDES FOR ATTORNEY

Under the bill, the circuit clerk would serve as "secretary" of the registrar court. The measure provides also that the registrar hired competent attorney to "advise him in the performance of his duties."

Later Tuesday in the House, a bill originally designed to restore absentee voting rights to transportation workers was defeated 81 to 49 after the House had opened up the measure to permit all voters who have a necessitous absence to cast absentee ballots.

The Legislature in 1956 had repealed the state's absentee voter law except for service personnel on out-of-state duty.

Gov. J. P. Coleman had spearheaded repeal of the absent voter statute because of widespread abuses of the law in the 1955 gubernatorial and local elections.

CARRUTH BILL
Rep. George S. Carruth of Pike county had authored the bill to restore absentee voting to transportation workers involved on interstate runs on election day.

The amendment broadening the scope of the bill to give absentee voting privileges to any voter who certified his necessitous absence was proposed by Rep. Barron Drewry of Alcorn county. It was adopted 65 to 56.

"This bill picks out one group and closes the door to others," Drewry said in arguing for his amendment. "If you are hospitalized, you can't vote, but you can if your drive a truck or work on a train."

FRENCH SPEAKS

Rep. John French of Panola county said the bill "should include all segments and treat everybody equally."

Rep. Carruth, seeking to preserve his bill, told the House: "This was submitted as the absent transportation workers voting law, not an absentee voter law."

In another major House action, the Mississippi lower chamber passed, 83 to 31, a bill permitting county boards of supervisors to incorporate special water, sewerage and garbage disposal districts out-

side municipalities.

Opponents charged that the measure would stifle the growth of expanding municipalities.

"You are putting an iron curtain around each of the cities," said Rep. Karl Wiesenburg of Jackson county. He added that the bill would "permit the stifling of our cities which are already badly in need of help."

AMENDMENT FAILS

He proposed an amendment which would have provided that none of the districts could be set up within four miles of any city of 10,000 or more population if the city offered to provide the same services to the area.

His amendment was rejected by a vote of 46 to 41.

Rep. Joe Wroten of Washington county, argued that the bill would "kill the growth of the cities and set up a hodge podge type of utility system responsible only to the county supervisors."

Rep. Walter Hester of Adams county said that Adams county has residential sections growing up as far as 10 miles from Natchez without garbage disposal or sewage facilities.

'GARBAGE ON ROADS'

"Some of these areas stack garbage at the side of the road," he said. He added that the Adams county supervisors have "asked for a bill like this for a long time."

The measure was called a "public health bill" by Rep. Hilton Waits of Washington county.

The Senate defeated on the floor by a vote of 27 to 17 a bill to locate the headquarters of the state geological survey in Jackson and re-organize the board of geological survey.

Much opposition to the bill stemmed from objections raised by the University of Mississippi that the measure would "take away" the geological survey from its campus.

Sen. Mayes McGehee of Meadville, member of the committee sponsoring the bill, said, "There's nothing in the law now that says the state geological survey shall be located at Ole Miss."

'BOARD NEVER MEET'

He pointed out that Dr. W. C. Morse, member of the geology department at the University of

Mississippi, has been director of the geological survey for years, "but it has just happened that way . . . There's no reason why his successor shouldn't locate it somewhere else."

McGehee pointed out that the board of geological survey was created back in 1906 "and is a board which never meets."

He said it is made up of the governor, the superintendent of education, the chancellor of the University of Mississippi, president of Mississippi State college, and director of the department of archives and history.

"All the members of the board have conceded that the board is not functioning as it is presently created," he declared.

BOARD PROVIDED

The measure provided for a new board consisting of two businessmen, two geologists and one engineer of overlapping terms. They would select a director of the geological survey and require location of the headquarters here by 1961.

Mrs. Mary Lou Godbold, senator from Oxford, opposing the bill, said that many other states have their geological surveys located on the campus of their state university.

"Such locations are logical, because it permits consultation on problems of research and analysis with scientists and engineers at the university," she declared.

Mississippi's only department of geological engineering, she said, is at the University of Mississippi.

Under the proposed bill, she said, "it may well be that the new director would desire the headquarters of the survey at the university so that research could be done there with a service division located in Jackson to provide information to state agencies, petroleum agencies and others."

Special License Bill Is Killed

JACKSON, Miss. (P) — The Mississippi House of Representatives had a lot of fun Tuesday before killing a bill which would have allowed legislators to put special license plates on their cars.

Tags would have identified the owner simply as "Senator Brown" or "Representative

Smith" or whatever his name is. Rep. George McMillan of Washington county asked if the author would accept an amendment putting the words "vote for . . ." ahead of the name. Rep. James Wallace of Lincoln county, with a straight face, said no.

Rep. Blaine Eaton of Smith county offered an amendment to provide all cars carrying such tags should have bullet-proof windshields. He said it would amount to declaring "open season" on legislators.

Rep. Elwyn Livingston of Scott county wanted to make "colonels" eligible. It was an obvious reference to honorary colonels named by Gov. J. P. Coleman, of which there are about 2000. Livingston, no friend of the governor, was ruled out of order.

Legislators would have paid the full price for regular licenses and then, if they wanted the special tags an additional \$1.

Rep. Karl Wiesenburg of Jackson county suggested no legislator be allowed the tag unless his vote appeared in the special election. Called upon to defend his amendment, Wiesenburg said instead:

"The people want this Legislature to do something. We've been here 13 weeks and not a single major piece of legislation has been passed, and we sit here considering a bill to give ourselves special privileges."

Shortly afterward the Legislature killed the bill 76-56.

VOTER QUALIFICATION IN 'INFERIOR COURT' APPROVED BY SENATE

Mississippi Action To 'Cope' With Federal Rights Law To Go To Coleman

BACKED BY GOVERNOR

Absentee Plans Are Downed By House—Amendment To Broaden Measure OK-ed Before Defeat

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., April 1.—A new system for the registration of voters, recommended by Gov. J. P. Coleman as a deterrent to widespread qualification of Negroes, was readied for his approval after Senate passage Tuesday of a House bill.

The measure creates an "inferior court" to be administered by an official to be appointed by the Chancery Court judges as the agency for qualifying voters.

The Circuit clerks in the 82 counties now serve as county registrars. *Commercial Appeal* Not Legally Equipped

Governor Coleman, in recommending a change in the system said the clerks are not legally equipped to "cope" with the issues expected to be raised under the new Federal Civil Rights Law.

The Governor made the recommendation to the current session of the Legislature the day after a Negro filed a suit in Federal Court here challenging the registration statutes and the discretionary powers vested in the registrars in passing on the qualifications of voters.

The official of the court is authorized to employ an attorney with the county sheriff serving as the officer of the court.

At present, applicants for registration may appear at any time to take the written test required under the statute. If they fail one day, they can reappear the next and so on.

One of the requirements for

registration is the ability of the applicant to demonstrate the responsibility of citizenship under a constitutional form of government. All answers in the test must be written.

Passage of the act stems from a statewide campaign now under way to gain the registration of 100,000 Negroes within the next few years. It is sponsored by the Regional Council of Negro Leadership, the National Association for the Advancement of Colored People and the Progressive Voters League composed of Negroes.

Absentee Plan Killed

In another action affecting voting, the House defeated a measure designed to permit absentee voting by workers in interstate railroad and trucking services.

The defeat came after Representative Barron Drewry of Alcorn County gained adoption of an amendment making absentee voting applicable to any person whose business, trade or profession caused him to be away from his polling place on election day.

Earlier, the House adopted an amendment by Representative E. L. Boteler of Grenada County removing physically incapacitated persons from provisions of the proposed absent-voter proposal.

Before his wide-open amendment was adopted, Representative Drewry said the bill would deny absent-voting to physically incapacitated, those in hospitals and ministers away from home conducting revivals "but would apply only to those who drive a truck or work on the railroad."

Before adoption of the Drewry amendment, Representative John Neill of Jones County lost an amendment to permit members of Congress and their staffs the right of absent-voting.

Sponsors of the bill were Representatives George Carruth and L. S. McClaren of Pike County.

Speaking for the measure were Representatives C. B. Newman of Issaquena County and H. L. McKnight of Warren County, who said absent-voting privileges should be given those engaged in interstate work on railroads and trucking lines.

Voter Bill Vetoes In Mississippi

JACKSON, Miss., April 15 (P).—Gov. J. P. Coleman last night vetoed a bill designed to maintain white supremacy over the ballot box in Mississippi. He said it was unconstitutional. The measure would have put voter registration in the hands of a court-appointed registrar. Gov. Coleman contended the

bill made the registrar an inferior court. *Commercial Appeal* The bill, vetoed only three hours before a midnight deadline, provided that the appointive registrar would hold court only a few days a month and would have the advice of a lawyer and the protection of the sheriff. Registration is not handled by the elected circuit clerk whose offices are open during regular business hours.

Gov. Coleman had told the House and Senate last month that something should be done to stop unqualified voting—obviously by Negroes—under the civil rights law. The Governor said the circuit clerks are not versed in the law and therefore are not prepared to withstand intimidation by Federal officers.

Coleman's Veto Draws Rebuff

Legislators Say Registrar Is Court Appointment

GOVERNOR DISAGREES

By TIM PARKER

Associated Press Staff Writer

JACKSON, Miss., April 27.—Two lawyer members of the Mississippi Legislature plan a formal scolding of Gov. J. P. Coleman for his veto of a bill aimed at maintaining white supremacy over the ballot box.

With lawmakers scheduled to go home Wednesday, the outlook now is that no substitute will be offered for the bill which would have put voter registration in the hands of court-appointed registrars.

Governor Coleman had asked for similar legislation to protect Mississippi against what he called a likely onslaught of "unqualified voters"—obviously Negroes—under the Civil Rights Law.

Voter Challenges

Some legislators called it an emergency because, for the first time, Mississippi Negro has challenged the voter registration laws in Federal court, under the Civil Rights statute.

But Governor Coleman said the bill given him by the legislature made the fatal error of setting up the registrar as an "inferior court." Registration of voters, the Governor said, is an executive function and to give it to a court is unconstitutional.

It is on precisely that point that Representatives John French of Panola County and Maurice Black of Carroll County plan to challenge Governor Coleman in a statement to be inserted in the House Journal.

A tentative draft of their statement makes no reference to Negro voting and is largely a lawyer's rebuttal to the arguments by Governor Coleman, a former attorney general and circuit judge. The statement winds up like this:

"In view of the authorities cited, we submit that the veto of House Bill 473, after the time for introduction of bills was passed, was founded on a misconception of the law of the case, and will result in irreparable damage to our efforts to maintain good government in Mississippi."

Three-Man Boards

Governor Coleman had suggested the legislature set up three-man county boards of registration, with one member a lawyer. Instead, Mr. Black drew up a bill under which a single registrar would be appointed by the Chancery judge.

Both had a feature Governor Coleman had recommended—that registrations would be taken only on a few days a month, circuit clerks, who now double as registrars, maintain regular office hours. Governor Coleman had expressed fear that because the elected clerks are often not lawyers they could be intimidated by Federal men.

NEGROES VOTING ACTION PLANNED

James P. Ray
New Orleans, La.
Mississippi Group Will

Study Complaints

Jan. 1-4-58
CLARKSDALE, Miss., Jan. 3

The Regional Council of Negro Leadership Friday warned it plans to act in behalf of Negroes who are denied permission to register to vote. Aaron Henry, Clarksdale druggist and executive secretary of the council, said preliminary plans were formulated Sunday at a meeting in all-Negro town of Mound Bayou in the Mississippi Delta.

"We went over the list of complaints we have from the various counties," he said. "There is a strong possibility that in the near future a request will be made to sheriffs and circuit clerks in counties where we are having difficulty."

He said the council would make written requests to sheriffs and circuit clerks to permit Negroes to register and vote. If such requests are unheeded, Henry added, the council plans to appeal to the civil rights commission.

Last Dec. 9, the council said a survey showed Negroes were discouraged or prevented from voting in 31 counties. The survey was part of the council's aid of 100,000 Mississippi Negro voters.

State law makes no reference to race. However, the registrant must interpret the state constitution to the satisfaction of the circuit clerk, always a white person.

VOTE RIGHT DENIED, NEGRO GROUP STATES

34e
Letters Sent To 31 Sheriffs
In Mississippi

CLARKSDALE, Miss., Feb. 3. — (UP) — A Negro organization Monday said it mailed letters to sheriffs and circuit clerks in 31 Mississippi counties which it

charged denied Negroes the right to vote.

The letters made up the first step in a campaign by the Regional Council of Negro Leadership to increase the number of Negro voters in Mississippi by 100,000. The group asked that the county officials take action to allow Negroes the ballot.

Otherwise, the council said, it would carry the matter to Gov. J. P. Coleman. "If the Governor fails to act to remedy the 'pitiful situation,' the Negroes said they would go before the Federal Civil Rights Commission. Several sheriffs were asked if they planned any action. They replied that they planned nothing and said Negroes were not denied the ballot in their counties. The council said a survey showed 'several methods of intimidation' have been used in the 31 counties to keep Negroes from voting.

"Negroes feel that you and other influential white people are not entirely in favor of their registering," the letter states. "This impression generates a fear complex which makes them somewhat afraid to try."

"We earnestly seek your cooperation in this effort to further the cause of democracy in our state," the council told the officials. The letter was signed by Executive Secretary Aaron Henry of Clarksdale.

The letters went to officials in the following counties: Calhoun, DeSoto, Panola, Tallahatchie, Carroll, Humphreys, Issaquena, Sharkey, Clay, Lowndes, Monroe, Lee, Alcorn, Choctaw, Noxubee, Attala, Montgomery, Yazoo, Bolivar, Tunica, Sunflower, Webster, Holmes, Tate, Jefferson, Walthall, Clarke, George, Lamar, Pearl River and Wayne.

VOTE DRIVE BEGINS

Daily News P. 2
Mon. 2-3-58
Integration Pushers
Write County Officers

Jackson, Miss.
BILL WOULD CHANGE
VOTER REGISTRATION

A pro-integration Negro organization said today it had mailed letters to officials of 31 Mississippi counties in which Negroes are denied the right to vote and register.

The letters to sheriffs and circuit clerks make up the first step in a campaign by the Regional Council of Negro Leadership to increase the number of Negro voters by 100,000.

The organization promises to carry the matter to Gov. J. P. Coleman if the county officers take no action. They plan to go before the federal Civil Rights Commission should Coleman fail to remedy the "pitiful situation."

The council told the circuit clerks and sheriffs that a survey showed "several methods of intimidation" have been used in the 31 counties to keep Negroes from casting votes.

"Negroes feel that you and other influential white people are not entirely in favor of their registering," the letter states. "This impression generates a fear complex which makes them somewhat afraid to try."

"We earnestly seek your cooperation in this effort to further the cause of democracy in our state," the council told the officials in Attala, Yazoo, Montgomery, Bolivar, Tunica, Sunflower, Webster, Holmes, Tate, Jefferson, Walthall, Clarke, George, Lamar, Pearl River and Wayne.

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House Measure Resembles

Coleman Suggestion

Commercial
JACKSON, Miss., Feb. 3. —

(AP) — Voter registration in Mississippi would be taken out of the hands of circuit clerks and given to county election commissioners and examiners under a measure introduced in the Legislature Monday.

Gov. J. P. Coleman has suggested such a step to prevent "voting onslaughts" — obviously by Negroes — under the Civil Rights bill.

The House measure was introduced by Representatives David Glass and John Guyton of Attala County. Their resolution bore the notation "by request," which they acted at the request of someone else.

Mississippi voting laws make no reference to race or color. But applicants are asked to interpret the state constitution to the satisfaction of the circuit clerk, in his capacity as registration clerk. Mississippi has no Negro circuit clerks.

As a result, Negroes do not vote in most of Mississippi.

Arguing before the Legislature last Nov. 18 for replacement of the registration clerk with a board of three commissioners, Governor Coleman said of the clerks —

"... If he is pressured into registering all those who ask for registration in order to stay out of trouble, we will soon be engulfed by wholesale voting of unqualified persons in Mississippi."

Circuit Clerks' offices are open each week day but Governor Coleman said the three-man boards he suggested would meet "say twice a month, something like the second and fourth Tuesday."

The present county board of election commissioners, whose

principal duty now is to count the votes, is composed of three members appointed by the Governor, attorney general and secretary of state.

Circuit clerks are elected.

SEEK POLL RIGHTS

Daily News P. 3
Negroes Bone Up
On Constitution

Jackson, Miss.
CLARKSDALE, Miss., (AP) — Some Negroes in this Mississippi Delta city are attending special weekly classes to learn more about the state constitution and thereby qualify themselves to vote.

The classes were described today by Aaron Henry, Clarksdale druggist, who is executive secretary of the Regional Council of Negro Leadership. The council is campaigning to get 100,000 registered Negro voters.

Only about 22,000 of Mississippi's 900,000 Negroes vote. There are no records as to the race of voters, nor do election laws make any reference to race.

Henry said: "So far, every Negro who has taken the course (on the Constitution) and who tried to register, has succeeded in registering."

The law requires that applicants for registration interpret the Constitution to the satisfaction of the election clerk.

This provision has been the means of holding down Negro voting in much of Mississippi.

Henry said the council-run classes on the Constitution are well attended.

"We have 36 in class now," he said. "They show considerable interest in the subject, ask questions and discuss the sections as we study them."

The council said late last year a survey showed Negroes were discouraged or prevented from registering and voting in 31 of Mississippi's 82 counties.

The council said it was making written requests of sheriffs and election clerks in those counties for co-operation.

"We have written those letters and have had no replies," Henry said today. "Our next step will be to write to Gov. J. P. Coleman."

Henry indicated if an appeal to the governor is not fruitful, the

NEGROES ARE TAUGHT ABOUT CONSTITUTION

Attending Weekly Classes
In Mississippi

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Classes For Training Voters Being Held In Clarksdale

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Henry indicated if an appeal to the governor is not fruitful, the council probably would make a formal appeal to the federal Civil Rights Commission.

Negroes Test Ballot Laws

By W. C. SHOEMAKER
Daily News Staff Writer

A Prentiss, Miss., Negro minister has filed a petition in federal court here charging that he and other Negroes are being barred from registering to vote in Jefferson Davis county.

The petition asking a temporary injunction against Jeff Davis Circuit Clerk James Daniel of Prentiss and Atty. Gen. Joe T. Patterson was filed by H. D. Darby.

Darby's petition charges he went to Daniel's office June 22, 1957, to register to vote. He charged he was required to fill out a written examination form asking a "reasonable" interpretation of a provision of the Mississippi Constitution and to demonstrate a "reasonable" understanding of the duties of obligations of citizenship under a constitutional form of government.

His complaint said that after he took the examination, Daniel advised him that he could not register because he had failed to meet either requirement.

The Negro minister charged that he appealed within five days to the Jefferson Davis County Board of Election Commissioners but they have not acted on his appeal.

'CLASS ACTION'
The bill of complaint said the action was a "class action bought by the plaintiff on behalf of himself and in behalf of other Negroes, similarly situated".

It is the first lawsuit filed in Mississippi under provisions of a Civil Rights law passed by Congress last year.

The petition asked a "three-judge court" to hear its request for a temporary injunction.

The bill of complaint asked the court to determine the constitutionality of section 244 of the state constitution, as amended in 1954 to require prospective voters to read, write and interpret a section of the constitution to the satisfaction of the circuit clerk.

The complaint said the amended section confers upon registrars "an uncontrolled discretion to determine the eligibility of voters in the state in that standard to

Daniel declined to say how many persons are on his rolls. He said no registrant is listed according to race.

Gov. J. P. Coleman declined comment until he sees the bill of complaint. "I have not seen the pleadings and cannot comment on the case until I study it. However, I will have some comment at the proper time after I have had an opportunity to study the case," he said.

Coleman has said he does not believe Mississippi Negroes are ready to vote.

Campaigns to get Negroes registered for voting are underway throughout the state by the NAACP and the Regional Council for Negro Leadership. The council is an organization which recently has been conducting classes for Negroes to teach them about the constitution.

Gov. Coleman has asked the state legislature for constitution revisions to prevent "unqualified" voting—obviously by Negroes—under the federal civil rights act. A bill is pending in the legislature to take registration out of the hands of Circuit Clerks and give it to three-man appointive county boards.

State Sovereignty Commission officials declined comment on the injunction.

"Any statement made will have to come from Gov. Coleman since he's the head of the Commission," Hal DeCell, public relations officer for the state's segregation force, said.

Atty. Gen. Patterson said he has not been served papers in the case.

Mississippi Voter Bill Passes House

JACKSON, Miss. (AP)—A bill intended to maintain white supremacy over the Mississippi ballot box passed the House of Representatives Wednesday without a dissenting vote. It was sent to the Senate.

The action came five days after Mississippi's first federal court case under the new civil rights law, attacking constitutionality of the state's voter registration laws.

The bill takes voter registration out of the hands of elective circuit court clerks and puts it in the hands of a registrar appointed by the chancery judge.

Gov. J. P. Coleman told the Senate and House Tuesday that

many circuit court clerks are not versed in the law and prepared to stop unqualified voting—obviously by Negroes—under the civil rights law.

The bill does not spell out nor did proponents say publicly how it would discourage Negro voting. However, Coleman said circuit clerks are not lawyers and "are not prepared to cope... with the voting onslaughts" expectable under the civil rights law.

Clerks Warned Of Problem Year

Mississippians Hear Ramsay

On Voting Lawsuits

PATTERSON OFFERS AID

Wed. 7-30-58

By United Press International

JACKSON, Miss., July 29.—

The new president of the Mississippi Circuit Clerks Association warned members Tuesday to expect "a year of problems" from the threat of civil rights voting suits.

In his first speech to the association, Vertis Ramsay of Pascagoula said "serious problems" would make it a time "when you and I should think three times when we speak once, especially when what we say will be published."

Patterson Speaks

His remarks followed last week's trial of an NAACP-financed lawsuit which charges that Prentiss County Circuit Clerk James Daniel denied Negroes the right to vote because of their race.

Atty. Gen. Joe Patterson told the clerks that the state would be quick to come to the aid of any circuit clerk charged in such a suit. "As long as you are doing your duty," Mr. Patterson said, "my office will come to your defense at all times when you come under attack from outside sources."

Mr. Patterson also said he does not believe the "over 7,000 Negro teachers will let agitators come in... when they know they will be the first to suffer the consequences and that these agitators will not be willing to provide a place for them elsewhere." He said the Negro educators are supported mainly by tax money from white citizens.

Evers Objects

The NAACP took issue with Patterson's comments. State NAACP field secretary Medgar Evers issued a statement claiming that "Negroes who constitute 45 per cent of this state's population bear an equivalent portion of the tax either directly or indirectly."

Evers said Mr. Patterson's remarks were "apparently for the purpose of creating an inferiority complex among Negroes of this state."

The circuit clerks wound up their annual meeting after naming James G. Palmer of Kemper County vice president and re-electing Miss Lois Foster of Franklin County secretary-treasurer. They voted to hold next year's convention in Natchez.

CR GROUP STARTS WORK

Mississippi Has Nothing To Hide In Voter Probe

By PAT J. McDONNELL

ATLANTA —(INS) — Mississippi which may be an early target of the newly-completed Federal Civil Rights Commission, has "absolutely nothing to hide" in regard to its voting laws, the state's top legal officer said today.

Groups now in the midst of a campaign to register Negro voters in the South have had little or no success in Mississippi and spokesmen have indicated they would seek early investigation of voter-registration there. The Civil Rights Commission was completed this week, with Senate confirmation of Gordon M. Tiffany, former New Hampshire attorney general, as staff director.

Mississippi Atty. Gen. Joe Patterson said he still views creation of the commission as "political" and "another invasion of states' rights." Patterson said he had no idea what action the commission might plan. He does not, however, think Mississippi is vulnerable to a charge that there is racial discrimination in voting rights.

"We have nothing to hide on this thing," he said, adding that "Mississippi's voting laws are administered fairly, without regard to race—and we certainly can show that anytime it becomes necessary."

His office will be ready, Patterson said, to represent "any and all" of Mississippi's 82 voter registration officials who might be summoned before the new federal constitutional body.

Mississippi's voter-qualification laws require a knowledge of the constitution and government. The state has questionnaires, which are filled out by prospective voters and graded. White and Negro prospective voters answer the same questions. The state, for many years, has required that the papers of citizens not qualified be kept for two years.

Thus, Patterson said, the state is in a position to document a fair and impartial administration of vot-

er-qualification laws, if rejection of any would-be registrant is challenged.

Mississippi has made no basic changes in its voter qualification laws specifically to meet the new federal civil rights legislation, and Patterson said he did not think action by the states would have any affect on the functioning of the commission.

Congress setup the commission, he said, "purely as a political creature, to gratify the NAACP and the ADA and a few others." He emphasized, however, that he does not know what may be in the minds of the men appointed to the body.

"They are, apparently, all high-type individuals," he said, "and I don't mean to infer that they would be prone to give any more attention to the NAACP than they would to the opposite side."

He added: "Until we see what happens, we must presume that these gentleman will be doing only that which is right or just to all parties, regardless of locale."

Originally, the Civil Rights Commission was given a life of two years by Congress. Patterson does not think the passage of almost a year before confirmation of its membership lessens the chances of commission action in the South.

MAY EXTEND TIME
On the contrary, he said, the delay is getting a start may be used as an argument to Congress to extend the commission's life beyond 1959.

The original civil rights bill covered several fields, but the version finally passed after major Southern-backed amendments, limits the commission's jurisdiction to aiding enforcement of voting rights.

The staff director, Tiffany, was approved by the Senate over Southern objections. Georgia Sen. Richard Russell said Tiffany was a "man of preconceived ideas" and did not measure up to his hope that the spot would be filled by a man of national prestige who

would "inspire confidence."

Mississippi Sen. James O. Eastland said Tiffany had already displayed he is clearly disqualified to direct the commission's investigations by "inviting a Communist front to give information."

'NO PREJUDICE'

Tiffany will take over the commission's work, Sen. Norris Cotton (R), N. H. said, "without any prejudice against any section of the country."

The commission is headed by Dr. John A. Hannah, a Republican who is president of Michigan State University. Vice-chairman is Robert G. Storey, a Democrat and dean of the Southern Methodist University Law School.

Another Southerner is former Virginia Gov. John S. Battle. Other members include the Rev. Theodore M. Hesburgh, a native of Syracuse, N. Y. and president of Notre Dame; and J. Ernest Wilkins, 63, Missouri-born, the only Negro on the body, and an assistant secretary of labor.

Voting Laws Open To Study

Mississippi Has Nothing To Hide, Says Patterson

RIGHTS PROBE SEEN SOON

JACKSON, Miss., May 18.—Mississippi, which may be an early target of the newly-completed Federal Civil Rights Commission, has "absolutely nothing to hide" in regard to its voting laws, the state's top legal officer said today.

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Thus, Mr. Patterson said, the state is in a position to document a fair and impartial administration of voter-qualification laws, if rejection of any would-be registrant is challenged.

No Changes In Laws

Mississippi has made no basic changes in its voter qualification laws specifically to meet the new Federal civil rights legislation, and the attorney general said he did not think action by the states would have any effect on functioning of the commission.

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"They are, apparently, all high-type individuals," he said, "and I don't mean to infer that they would be prone to give any more attention to the NAACP than they would to the opposite side."

The staff director, Mr. Tiffany, was approved by the Senate over Southern objections.

Delay Is Granted In Voting Suit

VICKSBURG, May 6 (U.P.) — Federal Judge Sidney Mize today granted the state another 15-day delay to prepare an answer to an NAACP-financed lawsuit against Mississippi's voting procedures.

Mize earlier delayed the start of the case until May 15 at the state's request. His new action granted Asst. Atty. Gen. Dugas Shands time until June 1 to file answer to the suit, first ever filed against Mississippi's voting practices.

The suit was filed by the Rev. H. D. Darby of Prentiss, who charges he was refused the right to register because he is a Negro.

His attorney, Negro Jesse Brown of Vicksburg, asked Mize to dismiss the state's request for more time. Brown said such delays could forever keep the case from being tried.

Mississippi Wants Vote Suit Dropped

By JOHN HERBERS

JACKSON, Miss. — (UPI) — Mississippi charged Saturday that an NAACP lawsuit challenging its election laws was brought in violation of the U. S. Constitution and asked that it be thrown out of federal court on grounds the plaintiff has not exhausted his remedies under state law.

The Rev. H. D. Darby, a Prentiss minister, charged he was kept from registering as a voter because of his race and brought the suit in U. S. district court here under the new federal civil rights law.

Atty. Gen. Joe Patterson and Jefferson Davis County Circuit Clerk James Daniel the county registrar filed separate answers today to the suit brought last March.

They contended it violates the 11 Amendment to the U. S. Constitution in that it undertakes to affect and control the state and its officials in respect to the matter of registration of voters and makes the state a defendant "without its consent."

Darby was turned down three times for voter registration in Jefferson Davis County. The last time, on June 22, 1957, he appealed to the County Election Commission, which has taken no action on his appeal.

He said he had been registered

to vote prior to 1956 when the county board of supervisors ordered a complete new registration because the books were "in a state of confusion".

The new registration followed enactment of a constitution amendment tightening voter qualifications in Mississippi. Under the new requirements voters must take a written examination interpreting a section of the state Constitution and writing an essay on the duties of citizenship in a democracy.

Quiz Cleric File Answer Who Filed In Vote Case Rights Suit

P. 1 Defender
Sat. 5-31-58
Chicago Ill.

PRENTISS, Miss. — A Negro minister here underwent questioning for five hours last week by Attorney General Joe Patterson after he became the first ever to file a civil rights suit in the state of Mississippi.

The deposition was filed by the Rev. H. D. Darby in Federal Court about two months ago challenging Mississippi law which provides that a prospective voter give an interpretation of the Constitution.

Patterson was named as a defendant in the deposition along with Jefferson Davis County Circuit Clerk James Daniel. The suit asks for an injunction stopping enforcement of the challenged law.

Darby stated the law's only purpose is to disenfranchise Negroes and is being used to this effect in Jefferson Davis County.

PROCEDURE IS FILED
Commercial Appeal
Negro Asks Federal Action
P. 3 In Voting Suit

JACKSON, Miss., June 10. — (UPI)—Negro minister H. D. Darby of Prentiss has filed a procedure asking that one of the defendants in his lawsuit against the state go into more detail in answering his challenge of Mississippi's voting registration practices.

Rev. Darby is asking Federal Court to force Jefferson Davis County Circuit Clerk James Daniel to be more specific in his answers regarding Darby's unsuccessful attempt to register. Mr. Daniel and Atty. Gen. Joe Patterson are co-defendants in the suit.

By DOUGLAS STARR
Associated Press Staff
Atty. Gen. Joe Patterson denied Saturday that Mississippi's voter registration laws are used to curb Negro voting and asked federal district court to dismiss a Negro's challenge of their application.

Patterson filed the denial and petition in federal court in Jackson, answering a charge filed by H. D. Darby of Prentiss last March.

In his petition for a temporary and permanent injunction against enforcement of the 1954 voter registration laws, Darby charged the white registrars discriminate against prospective Negro registrants "solely on account of race and color pursuant to long established policy, custom and usage."

Darby stated conditions in Mississippi are such that Negroes are afraid to complain. Because of this, he said, he filed his petition as a class suit under the federal Civil Rights act.

Patterson and Jefferson Davis County Circuit Clerk James Daniel, registrar of voters, asked federal court to strike from Darby's petition the phrase: "Pursuant to the long established policy, custom and usage of the State of Mississippi of refusing to permit Negroes to register in order that they may become voters."

Patterson suggested the complaint should deal only with action in Jefferson Davis county. In their answer, Patterson and Daniel suggested federal court has no jurisdiction because there is adequate remedy at law in Mississippi courts. In fact, Patterson said, the attorney general has authority to grant relief in such matters.

But the Civil Rights law under which Darby filed the petition does not require that all other remedies be exhausted first.

Because Darby specified his was a class suit, Patterson and Daniel suggested it was a suit against the State of Mississippi, which has not consented to being sued, and that it seeks to control all public say, is that many would be sub-officials and officers not only in Jefferson Davis county but also were known they supported the throughout the state.

Moreover, Patterson said, the suit asks the federal court to decide upon the constitutionality of

the 1954 law which requires prospective registrants to show reasonable interpretation of the duties and responsibilities of citizenship. The state supreme Court has not ruled on the question, the attorney general said.

Mississippi Passes Registration Law

JACKSON, Miss. — (ANP) — A new bill aimed at running the NAACP out of Mississippi was passed Monday. The bill orders the secretary of state to require certain organizations or associations to file membership lists with his office.

Persons refusing to furnish such lists are subject to a jail term up to six months. Any person attending a meeting of an organization whose officers refuse to file required lists can be arrested and fined and sentenced to jail up to six months.

The law also says the secretary of state is empowered to call for an investigation of such organizations by the attorney general and the general legislative investigating committee.

DOES NOT MENTION NAACP

The bill does not mention the NAACP, but its author, Sen. George Yarbrough said it could be applied to that organization because many of its officers or directors had been cited as belonging to organizations declared subversive.

Medgar Evers, state NAACP field secretary said the law "does not apply to us." He denied the NAACP had officers or directors who had ever been declared subversive by a "legal committee" of Congress.

Under the law, the NAACP could file its list of members and continue operating, but the organization's membership, a closely guarded secret, would then be public record.

The reason for secrecy, members say, is that many would be sub-officials and officers not only in Jefferson Davis county but also were known they supported the NAACP and its efforts to break down racial segregation.

32 Negroes Subpoenaed In Darby Case

Federal authorities today sought 32 Jefferson Davis county Negroes who had been subpoenaed to testify in Negro preacher H. D. Darby's civil rights lawsuit here next week.

U. S. Marshall Hugo Newcomb said his office is in the process of serving subpoenas on the group.

They were described as "friendly witnesses" for Darby.

A three-judge federal court is scheduled to begin hearing testimony here Tuesday on Darby's complaint that his civil rights were violated. He claims he was twice denied registration rights in the county. Circuit Clerk James Daniel of Prentiss and State Atty. Gen. Joe T. Patterson were co-defendants in the suit.

The 32 persons summoned are J.H. Armstrong, Mabel Armstrong, Mitchell Gamblin, Henry Holbert, Peonia Holbert, Jessie Magee, Lizzie Magee, Katie Mae Johnson, Victor Tate, Flora Haynes, John H. Williams, Wardel Gray, Gaston Holloway, L. V. Powell, M. C. Sullivan, Prof. L. W. Easterling A. Holloway, L. V. Powell, M. C. Sullivan, Prof. L. W. Easterling, A. L. Godbeet and his wife, John H. Lewis, Miriah Norris, Obra Dillion, John B. Darby, Willie White, Fred Ross, Charlie Thompson, Duley Hawthorne, Daniel S. Ross, Sank Phillips, John F. Barnes,

Genora M. Holloway, J. C. Burns and Eavie Easterling. In Mississippi Hearing Negroes Charge Voter List Purge

JACKSON, Miss., July 22 (UPI) — Fourteen Jefferson Davis County Negroes testified in Federal court today they were purged from the voter registration books in 1956 and were kept from re-registering under a new constitutional amendment increasing the requirements.

Three others testified they were permitted to register again after passing a written examination called for in the amendment.

Testimony came in the first day of the trial of a suit in which the National Association for the Advancement of Colored People is challenging the state's system of registering voters.

The Rev. H. D. Darby, Negro minister of Prentiss and plaintiff in the suit, led the parade of witnesses to the stand before a panel of three Federal judges appointed to hear the case.

Darby's attorney, Mrs. Constance Baker Motley of New York, pointed out that the 1954 amendment increasing requirements to register specifically said it would not apply to those registered prior to Jan. 1, 1954.

All but one of the 17 Negro witnesses said they were registered before that date but that they were required to take the test prescribed in the amendment—to write a reasonable interpretation of any section of the Mississippi Constitution and write a short essay on the duties of citizenship.

Prior to ratification of the amendment in 1954 the requirement was for voters to be able to read any section of the state constitution or give an oral interpretation of it when read to him.

Mrs. Motley asked each of the witnesses to read a section of the constitution on the witness stand and all succeeded.

Paying of Poll Taxes Is Urged

JACKSON, Miss. (AP)—A Chicago Negro attorney told a Negro meeting Friday night that Negroes who don't pay their poll taxes "are losing your rights by default."

About 150 persons attended the National Assn. for Advancement of Colored People rally, intended to spur interest of Negroes in their voting rights.

Richard R. DeBow of Chicago spoke as a substitute for Rep. Adam Clayton Powell (D-NY) after the Negro congressman from New York canceled his engagement.

DeBow warned that Negroes must be ready to accept responsibility when, as he predicted, "we have . . . in America complete and total integration."

"Many doors will be opened and we must be prepared," DeBow said. "We must not compete as Negroes, we must compete as men and be the best."

Urging Negroes to register and vote, he said:

"When you sit idly by and refuse to pay the (poll) tax you have to pay in Mississippi and don't go down and register, then you are losing your rights by default."

At a similar meeting recently, a speaker said there is no interference in Hinds County with Negroes' rights to register and vote.

State will file answer to Negro's suit

JACKSON, Miss., May 24—(AP)—Mississippi Atty. Gen. Joe T. Patterson said he will not ask any further extension of time to answer a Federal Court suit claiming the state's voter registration laws discriminate against Negroes.

Patterson said his office will file an answer with a three-judge court before the June 1 deadline.

The Rev. H. D. Darby, Negro minister of Prentiss, Miss., filed the suit and also asks an injunction against Patterson and Jefferson Davis County

Circuit Clerk James Daniel enforcing the laws.

The date for the hearing has not been set.

Parley Reveals Voter Case Data

Rev. Darby Voices Charges To Missisippians

ANSWER IS DUE JUNE 2

By JOHN HERBERS
United Press International Staff Writer

JACKSON, Miss., May 24.—The State of Mississippi knows what it must fight when a lawsuit goes to trial before a three-judge Federal Court.

The state has learned from the plaintiff in the case the testimony he plans to give. That could help the defense, but the complainant's lawyer doesn't think so.

Racial Bias Claimed

Rev. H. D. Darby, Prentiss Negro minister, is bringing the suit in United States District Court here against the registrar of Jefferson Davis County and State Atty. Gen. Joe Patterson. Rev. Darby charged he was refused registration because of his race and contends voter tests required by the State Constitution are illegal. The NAACP is financing the suit.

State attorneys recently took testimony from Rev. Darby during a five-hour closed hearing in Prentiss. That testimony has not been made part of the record but could be used in trial of the case under certain conditions. The state can make good use of it in preparing its answer to Darby's complaint.

Jess Brown, a Vicksburg Negro attorney who is representing Darby, said he had no objection to the state questioning Rev. Darby before the answer is filed because that is part of Federal Court procedure.

"I don't think it weakened our case any," Brown said. "We don't have anything to hide."

Brown said he had the same right to question state principals in the case ahead of trial but had not decided whether to do so.

The state has until June 1 to answer the complaint. It probably will be filed June 2, which is authorized procedure when the deadline falls on a Sunday.

State attorneys won two delays in filing the answer and are not expected to beat the deadline by much.

Failed State Test

A hearing date for the case can be set after the state's answer is filed. Brown said he would request the earliest date.

The case is expected to reach the United States Supreme Court.

The panel to hear it is composed of District Judges Sidney Mize of South Mississippi, Claude Clayton of North Mississippi and Ben F. Cameron, Mississippi's judge of the Fifth Circuit Court of Appeals.

Rev. Darby was refused permission to register as a voter on grounds he failed the test that requires voters to write a short essay on the duties of citizenship in a democracy and to interpret in writing any section of the State Constitution. The state is expected to contend he did not satisfy the requirements.

The suit, however, also challenges the procedure. It is a class suit, filed in behalf of all Negroes faced with taking the test.

However, the state is expected to argue that the suit does not meet the legal requirements of a class suit and thus can apply only to Rev. Darby.

Voters Say Stassen Is No Second Sam Houston

By THE ASSOCIATED PRESS

Harold E. Stassen's bid for a political comeback was shattered today as Pennsylvania's Republicans handed him a crushing defeat in his quest to become the second man in history to govern two states.

The 51-year-old Minnesota native, admittedly facing an uphill fight, was swamped by a tide of votes that gave his gubernatorial primary opponent, Arthur T. McGonigle, a victory margin of nearly 2-1.

In Tuesday's other statewide primary races, Mayor Thomas D'Alesandro came out on top in a seven-man battle for the Democratic nomination for U.S. senator in Maryland. D'Alesandro's running mate, J. Millard Hawes, won the nomination for governor.

In Pennsylvania's Democratic primary for governor, Mayor David L. Lawrence of Pittsburgh won an overwhelming triumph too. Returns from 7,856 of the state's 8,887 precincts gave the 68-year-old Lawrence 625,407 votes to Lt. Gov. Roy E. Furman's 166,495.

Easy victories also were scored by Rep. Hugh Scott in the Republican senatorial primary and Gov. George M. Leader in the Democratic senatorial race. GOP returns from 7,647 precincts gave Scott 656,605 votes to 131,149 for Weldon B. Heyburn, who ran on the Stassen slate. Leader's total was 623,023 to 215,175 for Clarence P. Bowers, a running mate of Furman.

McGonigle, a Reading pretzel maker, achieved victory in his first election try, beating a man who had his first taste of major political success when he was elected governor of Minnesota at 31. Stassen twice was re-elected governor of his home state.

But his attempt to duplicate Sam Houston's record of serving as governor of two states—Tennessee and Texas—went awry as Pennsylvania's organization GOP leaders turned their back on his candidacy.

McGonigle rolled up 504,769 votes to Stassen's 279,699. The Philadelphia returns killed off Stassen early.

A sidelight to the Pennsylvania primaries was the election of the first Negro congressman from the state. Democrat Robert N. Nix defeated Republican Cecil B. Moore, also a Negro, in a special election for the seat formerly held by Democrat Earl Chudoff, who has become a judge.

D'Alesandro's November opponent will be Republican Sen. J. Glenn Beall, who had only token opposition from Henry Laque Jr.

Mississippi Wants Vote Suit Dropped

By JOHN HERBERS

JACKSON, Miss. (UPI) — Mississippi charged Saturday that an NAACP lawsuit challenging its election laws was brought in violation of the U. S. Constitution and asked that it be thrown out of federal court on grounds the plaintiff has not exhausted his remedies under state law.

The Rev. H. D. Darby, a Prentiss minister, charged he was kept from registering as a voter because of his race and brought the suit in U. S. district court here under the new federal civil rights law. Atty. Gen. Joe Patterson and Jefferson Davis County Circuit Clerk James Daniel, the county registrar, filed separate answers today to the suit brought last March.

They contended it violates the 11th Amendment to the U. S. Constitution in that it undertakes to affect and control the state and its officials in respect to the matter of registration of voters and makes the state a defendant "without its consent."

Darby was turned down three times for voter registration in Jefferson Davis County. The last time, on June 22, 1957, he appealed to the County Election Commission, which has taken no action on his appeal.

He said he had been registered to vote prior to 1956 when the county board of supervisors ordered a complete new registration because the books were "in a state of confusion."

The new registration followed enactment of a constitution amendment tightening voter qualifications in Mississippi. Under the new requirements voters must take a written examination interpreting a section of the state Constitution and writing an essay on the duties of citizenship in a democracy.

32 Negroes Called In Civil Rights Suit

Voter Registrant Case Due Tuesday At Jackson

JACKSON, Miss., July 17.2 (AP)—United States Marshal Hugo Newcomb said Thursday his office was serving subpoenas on 32 Jefferson Davis County Negroes in connection with a Negro's challenge of Mississippi's voter registration laws. Marshal Newcomb described the 32 as friendly to the Rev. H. D. Darby, Prentiss Negro who filed the civil rights suit in Federal District Court.

A special three-Federal judge court will hear the case in Jackson July 22.

Rev. Darby named Atty. Gen. Joe Patterson and Jefferson Davis County Circuit Clerk James Daniel, registrar of voters.

Rev. Darby charged the state's voter registration laws are enforced adversely in the case of prospective Negro voter registrants.

The laws require all registrants to state, to the satisfaction of the circuit clerk, the duties of citizenship and to interpret a section of the state Constitution.

Mr. Daniel said in a sworn statement that Rev. Darby did not comply with the requirements when he sought to register as a voter.

Clerk Claims Darby 'Sent FBI After Me'

Jackson News
Jackson Mississippi
Negro Admits He Wrote Ike
After Turned Down As Voter

By W. C. SHOEMAKER
Daily News Staff Writer

Jeff Davis County Circuit Clerk James Daniel testified today the Rev. H. D. Darby sent "the FBI to investigate me" after the Negro minister failed in voter registration attempts.

Daniel was the first witness called in Darby's NAACP supported lawsuit to prove Mississippi's voter requirements unconstitutional.

Daniel was questioned by Constance Baker Motley of New York, Negro woman lawyer hired by the National Association for the Advancement of Colored People.

The first-term circuit clerk said Darby came to his office four times regarding voter registration. Three times he was given the test, Daniel testified, but each time he failed.

Daniel said Darby appeared at his office first on June 29, 1956, and was given registration forms which he never filled out. The second time was Nov. 2, 1956, Daniel said. This time Darby asked for an oral examination. "He said he didn't have enough education for a written test," Daniel testified.

Daniel said he read a section of the Constitution to Darby. "He couldn't give an interpretation and I turned him down," Daniel added.

The third trip, Daniel testified, was June 18, 1957. This time Darby was given an oral test but failed, Daniel said. He returned for the fourth time June 22, 1957, Daniel continued, and said he wanted to take the written test.

FAILED AGAIN

"He wrote something after every question," Daniel testified, but said the grey-haired Negro minister failed the test.

Daniel claimed Darby wrote to President Eisenhower after failing the first test and the "Justice Department sent the FBI to investigate me".

Daniel said Jeff Davis county has about 3,000 registered voters, of which "40 or 50" are Negroes.

Darby, the only other witness questioned this morning, admitted he wrote the President after his request for registration was de-

test but Daniel told him he had failed.

The last time I sat down at the table, me and my wife. I wrote to the best of my knowledge and turned it in and he (Daniel) said 'I'll have to turn this down'," Darby continued.

"I told him 'I won't be back any more. I'll let higher authorities register for me.'"

He claimed he contacted R. Jess Brown, Vicksburg Negro lawyer, soon after that. He claimed he and Brown were unsuccessful in getting the case heard before the county election commission.

MOTION OVERRULED

Before testimony began judge Ben J. Cameron of Meridian overruled a motion filed by attorneys for Daniel and State Atty. Gen. Joe Patterson, also a defendant in the case, that they not be required to submit as evidence records of all voter registration applications filed in the county in 1956 and 1957.

The courtroom was packed at the opening session. Negroes and white persons sat together.

Judge Cameron, a member of the U. S. Fifth District Court of Appeals; Judge Sidney Mize of Gulfport, District Judge for South Mississippi; and Judge Claude Clayton of Tupelo, District Judge for North Mississippi, are hearing the case.

They expect it to last most of the week.

Darby's attorneys said they expect to prove that Mississippi's voter registration laws are aimed at preventing Negroes from voting and are unconstitutional.

The state Constitution requires prospective voters to read and write a section of the Constitution, give a reasonable interpretation of it and write a short essay on the duties of the citizenship in a democracy.

One point of argument between Darby and the Motley woman this morning, was her repeated questioning of Daniel as to who provides a guide for determining if an applicant's answers are "reasonable."

Mississippi's voter requirements unconstitutional. His attorneys presented a hand-written letter which they said was a copy of the letter he sent to the White House and an answer they claimed he received from the Justice Department.

Darby, under direct examination, testified he registered first in Jeff Davis county in 1950 and voted in the 1952 presidential election.

"I also voted in the next presidential election and in the primary election. When Mr. Daniel was elected I voted for him," he testified.

He said he went to Daniel's office to "see about re-registering" in 1956 after the Jeff Davis county board of supervisors ordered voter rolls cleared and county-wide re-registration.

NEW LAW

He said Daniel handed him several copies of the voter registration application. "I said I was already registered," Darby said, "but he said 'This is the law now,'" the Negro minister added.

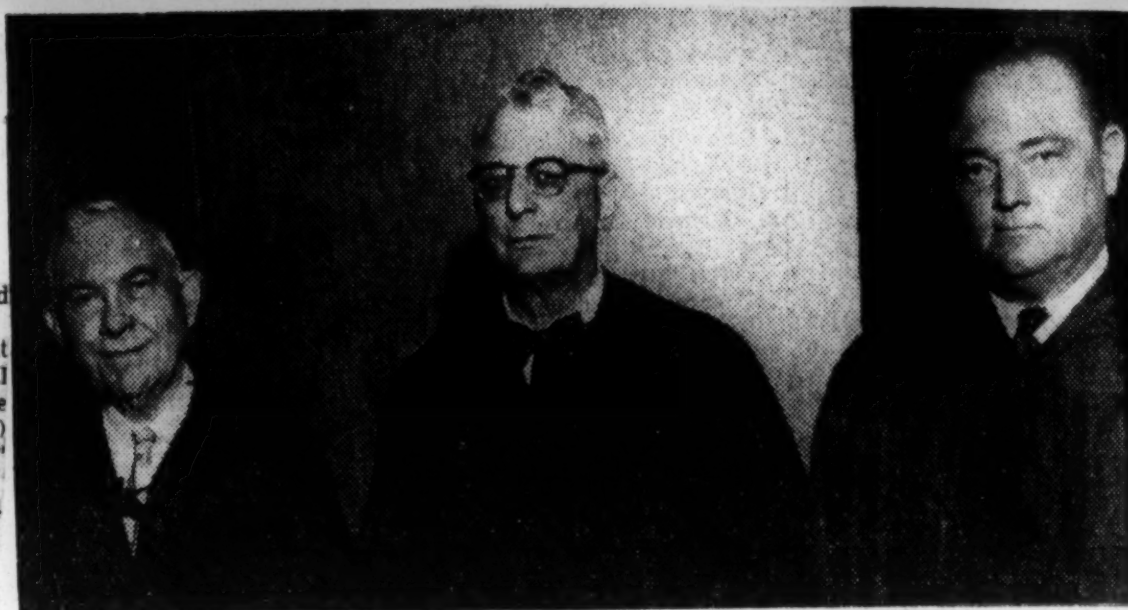
On the second attempt "I wrote some of them (the application forms)," and two white men came in, Mr. Ray Griffin and Mr. Westfall. They sat down and I looked at my watch. Eight minutes after they walked in they walked out," Darby continued.

"I said to my wife, 'Ain't no need for us to try' and we left," he added.

Darby said he later learned Griffin and Westfall were successful in their attempts to re-register.

He said he wrote to the President after that attempt to re-register.

Darby testified he tried twice more to register. The first time, he said, he was given an oral



HEAR VOTER REGISTRATION LAWSUIT HERE Judges Sidney Mize, Ben Cameron and Claude Clayton

HEARINGS SET IN VOTER SUIT

P. 20
Darby Seeks Injunction
Against Clerk

Jess Brown
(The Times-Picayune Capital Bureau)
JACKSON, Miss. — A Jefferson Davis county Negro's suit to break barriers against Negro voter registration in Mississippi will be heard by a special three-judge federal court here July 22.

Jess 7-8-58
H. D. Darby, a part time Negro minister, seeks an injunction against circuit clerk James Daniel of Jefferson Davis county, who refused to register Darby and "other Negroes similarly situated," in June, 1957.

The suit also attacks constitutionality of a 1954 state constitutional amendment and subsequent laws enacted under it which tightened voter registration qualifications.

Darby contends that the amendment and the laws were "for the sole purpose of providing a means whereby the registrars of voters could discriminate against Negroes who seek to register, solely because of their race and color."

THREE-JUDGE PANEL

Making up the three-judge panel will be Ben F. Cameron, Meridian, member of the Fifth

US circuit court of appeals in New Orleans, district Judge Sidney Mize, Gulfport, of the Southern Mississippi district, and district Judge Claude Clayton, Tupelo, of the Northern Mississippi district.

Judge Mize, before whom the petition was filed, set the hearing on the petition at 9:30 a. m. July 22, in the United States courthouse here.

Darby requested when he filed the suit in March to have the petition heard by a three-judge court. Judge Mize granted the request.

Atty. Gen. Joe T. Patterson also named in the petition as a defendant. The suit seeks the injunction to restrain Patterson from enforcing voting laws which Darby contends are "unconstitutional and void."

1200 IN SURVEY

Darby had been previously registered in Jefferson Davis county, but when he attempted to re-register under a new county registration in 1957, he contended that the clerk twice refused to register him.

A survey of Negro registered voters in Mississippi in 1954 showed more than 1200 Negro voters registered in Jefferson Davis county.

Reportedly less than 100 of the Negroes were re-registered in the new registration.

The 1954 constitutional amendment provided that in addition to requirements that a voter must be able to give a reasonable interpretation of any provision of the constitution, he must also be able to give in

writing to the satisfaction of the registrar an understanding of the duties of a citizen under a constitutional form of government.

Darby's attorney, R. Jess Brown, Vicksburg, said in filing the petition that he was receiving aid from the National Association for the Advancement of Colored People because Darby was unable to pay expenses of the litigation.

NO DECISION IN VOTE SUIT UNTIL FALL

Testimony Ends,
Lawyers Get 75
Days For Briefs

By W. C. SHOEMAKER
Daily News Staff Writer

Three federal judges today held the fate of Mississippi's voter registration requirements and a 1955 law aimed at keeping the NAACP from financing suits against the state.

Testimony in Rev. H. D. Darby's suit to declare voting requirements unconstitutional ended yesterday afternoon.

Attorneys have 75 days to file briefs. No decision can be reached before this fall.

Attorneys for Darby, a Negro parttime minister, charged the 1954 amendment to the state Constitution increasing educational requirements for registering is unconstitutional. They claimed it is directed at restricting Negro registration.

They also asked the court to declare unconstitutional a law which makes illegal giving or receiving of outside aid in financing lawsuits against the state. The Darby trial against Atty. Gen. Joe Patterson and Jeff Davis Circuit Clerk James Daniel was financed by the NAACP's legal aid and educational fund.

NEGROES HEARD

Constance Baker Motley of New York, Negro woman lawyer for the NAACP, presented a string of Jeff Davis county Negroes who claimed they had once voted in the county but were kept from re-registering after a poll book purge in 1956. Darby testified he tried four times to re-register but after each test Daniel told him he had failed.

She introduced as evidence in the case the registration applications filled out by the witnesses and 78 other applications which she said were "taken at random" from the 3,000 on file in the coun-

ty. Jess Brown, Negro lawyer from Vicksburg, testified the NAACP's legal aid fund was financing the suit.

The Motley woman called Patterson and asked him if he planned to prosecute persons in the case for receiving aid in the trial. Patterson gave no definite answer.

Daniel was the only witness called by defense attorneys. He testified he required both white and Negro applications to take a written test after the poll book purge in 1956 until the state attorney general informed him the written test was not necessary for persons who had already been registered.

SOME OBJECTED

After that, he said only those who requested it were given written examinations. He testified some white persons, as well as Negroes, objected to taking the written test.

Daniel testified Darby caused "the FBI to investigate me" after he failed the first re-registration test. He said FBI agents examined his registration records on two occasions as a result of two complaints filed with the U. S. Justice Department by Darby.

The courtroom was filled with spectators during the three day trial. White persons and Negroes were not ordered to be segregated but in most cases they occupied separate seats.

Judges hearing the case were Ben Cameron of Meridian, a member of the Fifth Circuit Court of Appeals in New Orleans; Sidney Mize of Gulfport, U. S. District Judge for South Mississippi; and Claude Clayton of Tupelo, District Judge for North Mississippi.

**Plea to Vote
Cost His Job,
Says Teacher**

JACKSON, Miss., July 23 (UPI)—A Negro teacher testified today he lost his job as school superintendent in Mississippi and was unable to find a job in five counties after he publicly urged Negroes to register and vote.

Ernest L. Lockhard, 44, told the Fifth U. S. Circuit Court of Appeals that he had been a registered voter since 1946 in Mississippi but was purged

from the rolls in 1956 when the County Board of Supervisors ordered a new registration.

Lockhard's testimony, taken in a trial challenging Mississippi's system of registering voters, was ruled incompetent by Judge Ben Cameron but was allowed to remain on the record for possible use on appeal.

Lockhard was a witness in the suit brought against Jefferson Davis County Clerk and Register James Daniel and Attorney General Joe Patterson by the Rev. H. D. Darby.

Lockhard said his contract was terminated in May, 1956 but school authorities did not give him a reason for the action.

**Clerk Says FBI
Eyed Voter Rule**

**Denys Charge Negroes Were
Discriminated Against**

NEW LAW CHALLENGED

By The Associated Press

JACKSON, Miss., July 24.—Jefferson Davis County Circuit Clerk James Daniel testified Thursday he was investigated twice by the FBI but no charges were filed concerning his application of Mississippi's voter registration laws to Negroes.

Mr. Daniel, charged with discriminating against Negroes who sought to re-register after a 1956 purge of the county's voter rolls, testified he applied the same requirements equally to both white and Negro.

The testimony came in a case in which Rev. H. D. Darby of Prentiss, a part-time Negro preacher, challenged the constitutionality of the voter registration laws.

Mr. Daniel said after the registration requirements were changed beginning Jan. 1, 1954 he required all prospective registrants to meet the new requirements.

After Purge

After a 1956 purge, he said he also used the new requirements on Negro and white registrants although the law exempted those who had been registered before 1954.

He explained, on cross-examination by Rev. Darby's attorney, that he had interpreted the new law as meaning "those on the books at that time did not need a new examination to stay on the books. However, in a new registration, they would all have to take the examination."

He said he stopped requiring the new examination after Rev. Darby complained to the FBI and the attorney general notified him pre-1954 registered voters were exempt from the examination.

As trial opened Thursday, Judge Ben Cameron of the United States Fifth Circuit Court of Appeals refused to cite Gov. J. P. Coleman for contempt in his refusal Wednesday of a subpoena to testify concerning a survey of the number of Negro voters in Jefferson Davis County he had made in 1954.

Dozen Testify

Rev. Darby and about a dozen other Negroes testified they were purged from the polls and refused re-registration. They said by, Prentiss Negro minister they were required to take a more stringent examination although they had been registered before 1954.

The new regulations were part of a pro-segregation package of legislation which lawmakers described as a means of limiting Negro voting.

The other constitutional amendment requires registrants to interpret a section of the constitution and show an understanding of the duties of citizenship to the satisfaction of the circuit clerk.

Coleman Rejects Federal Subpoena

Refuses To Testify On Negro
Registration

**PLAINTIFF TESTS CASE
Shuts 7-26-58**
By CLIFF SESSIONS
United Press International

JACKSON, Miss., July 23.—Gov. J. P. Coleman rejected a Federal subpoena Wednesday to testify in the trial of an NAACP-sponsored lawsuit challenging Mississippi's voter registration laws.

"I decline on grounds that I am the governor of the state and immune to such action," Governor Coleman told United States Attorney for Rev. H. D. Darby.

Attorneys for Rev. H. D. Darby want Governor Coleman to testify as to the number of Negro registered voters in Jefferson Davis County before a new registration was ordered in 1956.

Mrs. Constance Baker Motley of New York, Negro woman attorney handling the case of the National Association for the Advancement of Colored People said she would investigate the matter Wednesday night and may file a contempt of court motion against Governor Coleman Thursday.

Ruling Asked

Mrs. Motley had asked presiding Judge Ben Cameron of the United States Fifth Circuit Court of Appeals to rule on Governor Coleman's action but Judge Cameron said he did not know whether the governor had the right to turn down a subpoena.

Governor Coleman has rejected two subpoenas in state courts during his term of office—one in the Prentiss County sheriff's recall case and another in the Clennon King case. Neither of these rejections was questioned.

Mrs. Motley called for Governor Coleman to testify on a survey he made during his term as attorney general concerning the number of Negro voters in the state.

The New York Negro woman rested the plaintiff's case at 4:07 p.m. with a provision that she will re-open if she decides to file a contempt motion

Thursday.

The state then asked for a recess until Thursday, when it plans to begin its defense in the suit in which Rev. Darby charges he was purged from Jefferson Davis County's voter registration list and barred from re-registering because of his race.

Mrs. Motley introduced as evidence the registration forms of 13 Negroes who testified Tuesday they could not re-register because Circuit Clerk James Daniel, a defendant, said they failed the test. She also picked "at random" a volume of 77 applications in an apparent attempt to show white persons who may have done worse on the applications were permitted to register. This volume will be introduced Thursday after Mr. Daniel indicates which of the applications were passed.

Reports Questioned

Mrs. Motley questioned Charles M. Hill, State Capitol reporter for the Jackson Clarion-Ledger, in reference to his column of Nov. 2, 1954.

Mrs. Motley said the column stated that Jefferson Davis County had at that time 1,200 voters. Mr. Daniel has testified there are now between 40 and 50 Negro voters on the county's books.

Mr. Hill said he didn't know where he got the figures or who furnished them to him. "The article indicates the figures came from the Citizens Councils," Mr. Hill said, "but I honestly don't recall where they came from."

"Whether the figures were actually true, I don't know," said Hill. "I'm completely hazy on it."

State Atty. Gen. Joe Patterson was put on the stand and asked by Mrs. Motley if he intends to prosecute the plaintiff under state law that forbids suits without outside aid.

"If it becomes my duty," Patterson answered.

U. S. Court Bars Miss Gov. From Contempt Action

JACKSON, Miss. — A panel of three Federal judges Thursday refused to cite Mississippi Gov. J. P. Coleman for contempt of court because he rejected a Federal court subpoena issued in connection with a Negro minister's suit against the state's voter registration laws.

Meanwhile, a Jefferson Davis County circuit clerk testified he had been investigated twice by the FBI but that no charges were made against him concerning his method of applying the state's voter registration laws to Negroes.

The Rev. H. D. Darby is challenging the state's voter registration laws. During the trial of his suit Wednesday a subpoena was served on Gov. Coleman, ordering him to testify on a survey he conducted while he was attorney general concerning the number of Negro voters in the state.

Presiding Judge Ben Cameron of the Fifth Circuit Court of Appeals, a member of the three-judge panel, said the governor is the chief executive of a state and is immune to processes such as a subpoena. He said the evidence the plaintiff is seeking will be declared incompetent.

Also in Jackson, Jefferson Davis County Circuit Clerk James Daniel is charged with discriminating against Negroes who sought to register after a 1956 purge of the county's voter rolls. He testified that the FBI made no charges against him and that he applied the same requirements equally to both white and Negro.

Mississippi's Race Barriers Due For Tests

JACKSON, Miss. (AP) — Effect of the first civil rights attack by the National Assn. for the Advancement of Colored People upon Mississippi's barriers to integration will be decided by three judges—all Mississippians.

The NAACP wants the court to declare unconstitutional Mississippi's 1954 voter registration laws and a 1956 law forbidding outside help in lawsuits against state agencies.

Legislators debating the two laws explained they would not only limit Negro voting but also would help reduce the number of NAACP-financed segregation suits.

FOUR TO SIX MONTHS

A decision from the three judges — Sidney Mize of the Southern District, Claude Clayton of the Northern District and Ben Cameron of the U.S. 5th Circuit Court of Appeals — is expected in four to six months.

If the two laws are wiped out, two major barriers to racial integration will fall. It also could mean the state would have to draft definite answers for the two disputed sections of the voter registration laws: interpret a section of the Constitution and show reasonable understanding of the duties of citizenship.

The circuit clerk now is the sole judge of whether an applicant has qualified for registration.

HEARING TODAY ON VOTER SUIT

Right to Ballot Denied, Darby Charges

By W. F. MINOR

(Times-Picayune Staff Correspondent)

JACKSON, Miss. — A special three-judge federal court here Tuesday began hearing testimony in a suit brought by a Prentiss Negro to strike down Mississippi voter registration barriers.

The suit, brought by H. D. Darby, a part-time minister who said he was denied registration in Jefferson Davis county, charges that state voter registration laws and constitutional provisions are used to deny Negroes the right to vote.

His suit would strike down a 1954 constitutional amendment raising voter qualifications and other laws which were part of a segregation "package" drafted by the state legal education advisory committee.

The LEAC was a segregation strategy group created by the Legislature and activated following the May, 1954 school segregation decision by the United States supreme court.

NO FIGURES

No official figures on the number of registered Negro voters

in Mississippi is available. In 1954 a survey made by the LEAC showed a total of 22,104 Negroes registered out of a total of 400,000 voters in the state.

Making up the special federal court are Judge Ben Cameron, fifth circuit court of appeals, New Orleans; Judge S. C. Mize of Mississippi's southern district and Judge Claude Clayton, of Mississippi's northern district.

Darby seeks a permanent injunction against James Daniel, circuit clerk and registrar of Jefferson Davis county, and Atty. Gen. Joe T. Patterson from enforcing the voter registration constitutional provision and laws.

The suit also seeks to set aside a segregation law proposed by the LEAC, aimed at filing of suits in which the plaintiff was offered an inducement by an organization (such as NAACP), and another law barring out-of-state attorneys from practicing in Mississippi if not admitted to practice.

14 Negroes Tell Of Vote Purging

Federal Court Begins Hearing Mississippi Case

DARBY FIRST WITNESS

JACKSON, Miss., July 22. — Fourteen Jefferson Davis County Negroes testified in federal court Tuesday they were purged from the voter registration books in 1956 and were kept from re-registering under a new constitutional amendment increasing the requirements.

Three others testified they were permitted to register again after passing a written examination called for in the amendment.

Testimony came in the first day of the trial of a suit in which the National Association for the Advancement of Colored People is challenging the state's system of registering voters.

Rev. H. D. Darby, Negro minister of Prentiss and plaintiff in the suit, led the parade of witnesses to the stand before a panel of three federal judges appointed to hear the case.

Registered, 'Before'

Rev. Darby's attorney, Mrs.

Constance Baker Motley of New York, pointed out that the 1954 amendment increasing requirements to register specifically said it would not apply to those registered prior to Jan. 1, 1954.

All but one of the 17 Negro witnesses said they were registered before that date but that they were required to take the test prescribed in the amendment—to write a reasonable interpretation of any section of the State Constitution and write a short essay on the duties of citizenship.

Prior to ratification of the amendment in 1954 the requirement was for a voter to be able to read any section of the State Constitution or give an oral interpretation of it when read to him.

Mrs. Motley asked each of the witnesses to read a section of the constitution on the witness stand and all succeeded.

Asst. State Atty. Gen. Dugas Shands, chief defense counsel, objected to witnesses reading the constitution on ground that what they can do now is no evidence of their ability at the time they took the tests.

Judge Ben Cameron of the Fifth Circuit Court of Appeals, hearing the case with Judge Sidney Mize of the Southern Mississippi District and Judge Claude Clayton of the Northern Mississippi District, said the court would reserve a ruling on that point when the case is decided on its merits.

Patterson A Defendant

Defendants in the case are State Atty. Gen. Joe Patterson and James Daniel, Jefferson Davis County circuit clerk and registrar, accused of preventing Negroes from registering because of their race.

Rev. Darby had been a registered voter since 1950 and said he voted for Mr. Daniel in 1955. After the new registration was ordered he twice failed to pass an examination under the new amendment. He charged in the suit that he and other Negroes throughout the state were discriminated against.

Those who testified they were denied registration under the amendment were:

Rev. Darby; his wife; Rutha Dillon, 82; Genora Holloway, a housewife and former teacher; Gason Holloway; Sanka Phillips; Dudley Hawthorn; John F. Barnes; John H. Lewis; J. C. Burns; Wadell Gray; Louis W. Easterling, a teacher; Eva W. Haynes, all of Prentiss or nearby.

Maybelle W. Armstrong, a housewife and teacher, testified

she passed the examination and was registered after the fourth try. John Williams and J. H. Armstrong said they passed on the first examination.

The trial will resume at 9:30 a.m. Wednesday.

State will file answer to Negro's suit

JACKSON, Miss., May 24—

(P)—Mississippi Atty. Gen. Joe T. Patterson said he will not ask any further extension of time to answer a Federal Court suit claiming the state's voter registration laws disenfranchise Negroes.

Patterson said his office will file an answer with a three-judge court before the June 1 deadline.

The Rev. H. D. Darby, Negro minister of Prentiss, Miss., filed the suit and also asks an injunction against Patterson and Jefferson Davis County Circuit Clerk James Daniel enforcing the laws.

The date for the hearing has not been set.

CONVENTION CALLED ONLY WAY TO FIGHT ELECTION LAW SUIT

Coleman Urges Constitution-
al Parley To Clear Up
'Difficulties'

TALKS AT JOINT SESSION

NAAOP Court Action Claims

Statutes Discriminate
Against Registration Of
Negroes As Voters

By KENNETH TOLLER

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., March 18.—

Gov. J. P. Coleman declared Tuesday that a constitutional convention to wipe the slate clean of all existing defects and difficulties is the only way Mississippi can combat a suit attacking its election laws.

The statement was made before a joint session of the House and Senate at the current biennial assembly of the Legislature, now in its 10th week.

It followed Monday's filing of a suit in Federal Court by the National Association for the Advancement of Colored People challenging the election laws as discriminating against registration of Negroes as qualified electors.

House Killed Convention

The convention was proposed at a November special session but was defeated in the House after gaining Senate approval.

"We must make a new start and we must make certain that it is the right kind of a start," Governor Coleman said. "Half-way measures, half-hearted efforts can no longer get the job done."

He said the educational requirements of the statute have been upheld by the United States Supreme Court in cases from other states, but that the "pitfall" in the Mississippi law is to be found in the administration of its provisions.

Under the law, the circuit clerk, who is registrar, determines whether an applicant for registration meets the requirements. That is the main point in the attack in the suit filed for Rev. H. D. Darby, pastor of the African Methodist Episcopal Church at Prentiss in Jefferson Davis County.

Agreement Not Canceled

Governor Coleman said raising of the convention issue does not cancel an agreement with convention opponents headed by House Speaker Walter Sillers. The agreement called for temporary sidetracking of proposed amendments on public schools until statutes providing for such changes can be liberalized.

Meanwhile, Speaker Sillers said he still doesn't see the need of a convention and that changes can be made quicker and cheaper through amendments.

Governor Coleman and State Atty. Gen. Joe T. Patterson in a joint press conference declined to divulge the procedure to be followed by the state in challenging the election suit.

"We are not going to let our adversaries know what we plan to do," the Governor said. "The administration of the registration statute is what is vulnerable."

Atty. Gen. Patterson was named defendant in the suit with James Daniel, circuit clerk and registrar of Jefferson Davis County.

Confer With Attorney

Governor Coleman and Mr. Patterson conferred during the day with R. C. Livingston, attorney of Prentiss and counsel for the circuit clerk and County Election Commission. A copy of Rev. Darby's written examination required for registration was shown to the two state officials.

Mr. Patterson said he was authorized by Mr. Livingston to announce that the Jefferson Davis County Election Commission would take no action on Rev. Darby's application to register him since the refusal to register him since the issue is now in Federal Court.

Atty. Gen. Patterson said he has not been served papers in the suit, but expected them when the United States Marshal Hugh Newcomb returns from a court term in Meridan.

"I regret that one member of the Negro race in Mississippi,

aided and abetted by the NAACP, has seen fit to start litigation in the Federal Courts, which if followed by others, can only result in driving a wedge between the white and Negro people of Mississippi," Mr. Patterson said. "It will, in a short time, destroy the peace, harmony, good will and understanding that has existed between the whites and Negroes of Mississippi for so many years."

Rev. Darby said in his suit that it was filed in his name as a "class suit" since other Negroes, "similarly situated," were fearful of reprisals if they joined individually.

Wants Registrar Board

In his message to the Legislature, Governor Coleman recalled that he had told the lawmakers last January that the statutes should be changed in convention so as to provide for a three-member county board of registrars to take over the duties performed by the circuit clerk.

However, convention opponents said they sought to gain the Governor's consent at the special session to introduce a bill for such a board but that he declined to approve its submission. Only those matters submitted by the Governor may be considered in special sessions.

There is pending on the House calendar a bill to create such a board.

Governor Coleman said he will "not make a fight for the convention and if the Legislature again refuses to provide for it that's all right with me."

"I just wanted to set the record straight because I feel we had better take advantage of a situation than be taken advantage of by it," he said. "I think the die is cast and the question is whether we will measure up to it."

NEW VOTERS REGISTRATION BILL DESIGNED TO CURB NEGRO VOTE CERTAIN OF PASSAGE AFTER GOV. VETOES ORIGINAL BILL

New Bill Will Restore Power To Register Voters To Circuit Clerk

GOV. AND LEGISLATIVE LEADERS
REPORT IN AGREEMENT ON NEW BILL

A New Voters Registration Bill was enroute to enactment by the State Legislature Tuesday following the Governor's Monday Night veto of a bill previously passed during the current legislative session. The new bill a substitute for the vetoed bill will allow the Circuit Clerk to continue as Registrar, but with a lawyer added to his office as an advisor on deciding who is qualified to vote.

Both the Governor and the House Sponsors of the bill which he vetoed are reported as being in agreement on the substitute bill.

The Bill which the Governor vetoed took away from the Circuit Clerk the duties of Registrar and authorized the Chancery Judge to appoint a registrar at his discretion to serve for a period of five days.

The sponsors of both the vetoed and the new bill admit that both bills aimed at restricting the number of Negro voters in the state.

The Governor has often expressed the personal opinion that Negroes in Mississippi are not ready to exercise the right to vote.

In his veto message sent to the House Tuesday after his action taken only three hours before the deadline Monday Night said: "The performance of the duties of Registrar is an executive function, not judicial." "I am therefore driven to the conclusion that the function of registering voters cannot constitutionally be assigned to an inferior court."

"I entertain serious doubts of the constitutionality of the bill and I do not believe the Legislature would want to experiment

with matters of such far reaching consequences."

The Governor also pointed out that the State Supreme Court has consistently held that courts cannot perform executive functions.

Sponsors of the vetoed bill had intentionally made the Registrar a court to get around the pending lawsuits in federal court recently filed by Rev. H. D. Draby, a Negro Minister of Jefferson Davis County, who charged that he was denied the right to register because of his race. He challenged the right of the Circuit Clerk to be the sole Judge of who is qualified to register to vote under the tests prescribed by state law.

Immediately after the suit was filed the Governor reminded the legislature that he had prescribed a method for correcting the system. He said a Constitutional Convention should rewrite the section on registration and provide for a three-man commission to act as registrars and decide on the qualification of voters.

The vetoed bill was passed overwhelmingly by the House and unanimously by the Senate but the expected fight resulting from the veto failed to develop because of the substitute bill.

Voter Registration Bill

Vetoed By Governor

Mississippi Governor Coleman vetoed a bill setting up a new system for the registration of voters. The bill would have relieved the Circuit clerks of this function and invested it in an inferior court to be presided over by an official to be appointed by the Chancery Judge. The bill was intended to slow the qualification of Negroes to vote. Governor Coleman said the bill was unconstitutional in that it sought to place an executive function in the judicial branch of government.

In other legislative action, the House passed a Senate bill eliminating a common practice among certain county officers of giving arrest tickets and summons on "scraps of paper." The measure establishes a system of uniform arrest tickets.

The House also adopted and sent to the governor a bill raising the speed limit for automobiles from 60 to 65 miles an hour, with a provision allowing the speed of 70 miles an hour on certain designated highways. Passenger bus speeds go from 50 to 55 miles an hour, and trucks from 40 to 45 miles.

VOIE BIAS BILL VETOED

Mississippi Governor Rejects
'White Supremacy' Move

JACKSON, Miss., April 15 (AP)—Gov. J. P. Coleman vetoed Monday night a bill designed to maintain white supremacy over the ballot box in Mississippi. He called it unconstitutional.

It would have put voter registration in the hands of a court-appointed registrar. The Governor commented that the registrar would be an inferior court.

The veto was only three hours before the midnight deadline. Under the bill the registrar would hold court only a few days a month. He would have the advice of a lawyer and the protection of the sheriff.

Registration is now handled by the county elective circuit clerks, whose offices are open during all regular business hours.

Miss. Gov. Vetoes Anti-Negro Vote Bill

Jackson, Miss.—In a surprise move, a bill aimed at curbing an expected voter registration drive by Negroes in Mississippi, was vetoed last Monday by Governor J. P. Coleman.

Commenting on the veto, Coleman said that the measure would have established an unconstitutional form of inferior court to handle a non-judicial function.

The new system of voter registration would replace the present county circuit clerk with a voter registrar appointed by chancery judges. The new registrars would be inferior courts, meeting on certain days each month, the act specified.

"The state supreme court has held that non-judicial functions cannot be conferred on a court; therefore, the bill is unconstitutional," asserted Coleman, who himself had advocated revision of the present voter registration system by naming county board of registration.

The veto message was sent to the House Clerk Monday night and was read to the House Tuesday. Coleman barely beat the deadline he had to sign or veto the bill.

Earlier, the Governor aroused the die-hard race haters when he expressed strong opposition to giving tax money to pro-segregation citizen councils for propaganda. Commenting on his feeling, Coleman stated: "I am opposed to any group purporting to perform the duties of state government. The preservation of the sovereignty of the state of Mississippi is a function of the state government by the people who elect them. It is not the function of 200 or 300 organizations or 200 or 300 groups or 82 groups. That's our job."

Coleman said further: "Sometimes I think we are repeating step by step, the same performance that destroyed us

once before. Sometimes I think there is a curse on Mississippi that keeps us stumbling over the Negro problem and falling on our faces."

Negroes Desire Voting Parley
Commercial Appeal
Memphis Tenn.
Council Would Invite Rights Group To Mississippi
Sat. 4-26-58

CHALLENGER IS HONORED
P. 12

By TOM R. FARRELL JR.
Special to The Commercial Appeal

CLARKSDALE, Miss., April 25.—The Regional Council of Negro Leadership voted Friday to seek a conference with the Federal Civil Rights Commission in Washington to discuss restrictions on Negro voting in Mississippi.

The action was contained in a resolution adopted by about 100 Negroes from over the state at the group's annual session here. The resolution said Civil Rights Commission members should be invited to come to Mississippi to see the situation first hand.

Accent On Voting
The resolution contended that less than 20,000 Negroes are registered in the state although an estimated 300,000 Negroes 21 or older live in Mississippi.

In only six counties, the resolution said, can Negroes register and vote without pronounced opposition. The six were not listed.

Accent of the day-long conference was on voting and one of the featured speakers was a Negro minister who recently filed a suit challenging the state's voter registration laws.

Rev. H. B. Darby of Prentiss, who was named Man of the Year by the organization, told the conference that the National Association for the Advancement of Colored People is the best organization in the state.

He urged those present to join the NAACP.

Has Sued Officials
Rev. Darby filed suit against Circuit Clerk James Daniels of Jeff Davis County and State

Atty. Gen. Joe Patterson March 17. He contended he was a qualified voter and was not allowed to register when the county offered registration. He said he tried on four occasions.

"It takes a minister to go to the President and the Governor to get something done about it," he added.

"I was charged with stirring up the peace between the white man and the Negro—I am 51 years old and there has never been any peace. . . . There can't be any peace in a second class citizenship."

The Mississippi-born minister said he had lived in the state all his life except two years when he left the state after he was beaten up by the Ku Klux Klan in 1929. He said he was now the victim of the KKK and the Citizens' Council.

In introducing Rev. Darby, Rev. G. F. Redmond of Greenville said, "It takes a lot of courage to file suit against a state that is spending millions to turn the clock back."

Rev. S. H. Jones of Jackson, who presided, said "Negro leaders should become conscious of their duty. . . . No race can rise higher than its leaders."

Negro Vote Case Delay Granted
Advertiser

VICKSBURG, Miss. (AP)—Federal district judge Sidney Mize has granted the attorney general an additional 15 days in which to answer a Negro's charge that he has been denied the right to vote because he is a Negro.

Asst. Atty. Gen. Dugas Shands requested the extra 15 days, to June 1—the second 15-day extension—because of the intricacies of the case.

The Rev. H. D. Darby of Prentiss, filed the suit in federal court charging that Mississippi's voter registration laws were not administered to Negroes on the same basis as to whites.

Absentee Voting Bill Is Signed

By PHIL STROUPE
Daily News Staff Writer

Absentee voting, which was wiped out in 1956 except for service men and women out of the state on election day, was restored to day to persons engaged in interstate commerce transportation.

Gov. J. P. Coleman signed into law today a bill that provides for absentee voting for persons employed on railroads, truck lines and other modes of interstate commerce transportation.

The measure had evoked some of the bitterest debate in the 1958 legislature when attempts were made to restore all persons wiped out of the law in 1956.

For example, Rep. Barron Drewry of Alcorn county — one of the most troublesome areas on absentee voting, tried to amend the transportation workers' bill to include aged persons and veterans sick in hospitals.

The legislature, however, did not provide for voting machines which the Governor had recommended in his message back in vote January.

At that time Gov. Coleman said, "This legislature has put a stop to the frauds and maneuverings which had been allowed to grow up in absentee voting."

"I sincerely hope this session will enact laws providing for and requiring voting machines in every county in the state which has as many as 10,000 qualified electors."

In that same address to the legislature, the Governor said, "The state is amply able to pay half of the cost of these voting machines, and since they would be used in state elections there is no reason for the state to shirk that duty."

He said voting machines would eliminate "long counts, delayed counts and the confusion involved in the use of antiquated methods to determine election results in heavily populated counties."

Attorneys Seek To Quiz Negro In Rights Suit

State attorneys have asked that they be allowed to question a Negro minister who filed Mississippi's first civil rights lawsuit in federal court here.

A petition filed in Federal court asks that Rev. H. D. Darby appear for oral examination before V. L. Saulters, a notary public, in Prentiss at 11 a.m. Friday.

The deposition is scheduled in the law office of Floyd Smith in Prentiss.

Darby two months ago filed a petition asking that James Daniel, circuit clerk in Jeff Davis county, be enjoined from preventing him and other Negroes to register to vote. He claims he was denied registration rights on two occasions.

State Atty. Gen. Joe T. Patterson was named a co-defendant in the suit.

Pay Council Aid Bills Up For Decision

No Major Legislation Passed
Yet But Time Is Getting Short

Mon 3-24-58

Legislators came back from a long weekend to dig into a stack of controversial bills dealing with matters ranging from school teachers pay to citizens councils donations to constitutional amendments.

The lawmakers, meeting back at 2 p. m., are entering their 12th week of the 1958 session with not a single piece of major legislation having cleared both houses.

This will be, however, the last week a bill may be introduced in the Senate. The House quit introductions last Thursday. And a compromise signed between the forces of Gov. J. P. Coleman and House Speaker Walter Sillers indicated an end was near to the 11-week legislative deadlock.

Rep. Thompson McClellan, chairman of the House Constitution Committee, promised to bring up for House action Tuesday two changes in the Constitution. Coleman and Sillers agreed upon. One would simplify the amendment process; the other would give the state a token reapportionment.

Constitutionality of a bill authorizing donation of public funds to pro-segregation citizens councils is expected to be challenged on the House floor this week.

A bill which passed the Senate last week, with only two dissenting votes and with no arguments on its merits, would authorize the donations.

The measure was expected to be considered in the House today or tomorrow.

Rep. George Rogers Jr., of War-

call in the sheriff for his proceedings. He would not accept registrations for more than five days a month.

Gov. Coleman had warned the legislators the elective circuit clerks often are not lawyers and are not prepared to prevent "unqualified voting" — obviously by Negroes — under the civil rights law.

The registrar bill passed the House last week without dissenting vote and with no arguments on its merits. Like election laws already on the books, it makes no reference to color. Backers did not come out openly on the floor with the bill's purpose. Coleman has warned the lawmakers that legislative journals can be used in court to show the legislature's intent, even though the law itself makes no reference to race.

The House is expected to take action early in the week on its quality education bill which the Senate altered last week. House members are expected to reject the higher pay increase for teachers, and invite a conference between the two houses to work out the differences.

ren County told a Vicksburg civic club last week "the bill is clearly unconstitutional and could be used to promote the political interests of various groups."

Some other House members also were known to oppose the bill.

Under the bill, cities and counties could donate up to \$100 per million dollars of assessed valuation. Although the measure does not name the citizens councils, Sen. Hayden Campbell of Jackson made clear to the Senate the councils are intended to receive the money. Campbell is the bill's author.

The councils' records are not open to public inspection. The bill does not call upon the receiving organizations to account for how the money is spent.

The Senate was expected to work today on a House-passed bill designed to protect white dominance of the ballot box. Both chambers set 2 p. m. for reconvening after the weekend recess.

The bill would take the function of registering voters out of the hands of the elective circuit clerk and put it in the hands of a registrar appointed by the chancery judge.

The registrar would have an attorney to advise him and could

Negro Voters Purge In Mississippi May Spark First Rights Law Test

JACKSON, Miss. (AP)—A purge of Negro voters in Jefferson Davis County may have sparked the first invocation of the federal civil rights act against Mississippi voting laws.

Rumors have circulated for months that Negroes were marked off of the rolls en masse in Jefferson Davis County last year. That's the home county of the Rev. H. D. Darby, Negro minister who brought the suit.

The New Orleans Times-Picayune said last November the re-registration trimmed the number of Negro voters there from 1,221 to "a reported 70."

Re-registrations also are reported under way in Madison and Lauderdale counties, with no indications yet of whether Negroes were purged. A re-registration in Adams County reportedly has left most Negroes on the rolls.

Re-registration is designed to clear the rolls of all names of those who have died or left the county or who have otherwise ceased to be a qualified voter.

Voting records, like Mississippi election laws, make no direct reference to color. In some counties, circuit clerks are known to use symbols of some sort so that those in their confidence can tell the race of registrants.

Generally speaking, a stranger looking at the records would have difficulty making his own determination.

Even so, Atty. Gen. Joe Patterson told Mississippi circuit clerks in the fall of 1956 that they needn't open their record books to federal snoopers.

In the wake of a U.S. Justice plans to send investigators to the South after the 1956 presidential election, Patterson wrote circuit clerks:

"This is to advise you that you are not required to answer any questions that may be propounded to you by these agents with reference to the adminis-

tration of the affairs of your office. Neither are you required to turn over to these agents for their inspection any of the records in your office, unless you should receive a court order directing you to make such records available to them."

Gov. J. P. Coleman called the Justice Department announcement "a cheap political bluff" and "mass slander."

But the suit filed in federal district court here by the Prentiss Negro invokes a section of the civil rights law which gives the court the right to act without having to "exhaust administrative remedies." In other words, state agencies could be circumvented.

The latest official figures on the number of Negro voters in Mississippi were provided by Coleman in 1954 when he was attorney general. He said then that a survey showed only 22,000 of Mississippi's 900,000 Negroes had registered, only 8,000 had paid their poll taxes and fewer than that had voted.

The re-registration such as that in Jefferson Davis County are he result of a 1954 constitutional amendment which requires the applicant to give a reasonable demonstration, in writing, that he is aware of the responsibilities of citizenship.

Darby's suit asks the court to determine if this amendment is not being used to disenfranchise Negroes. During legislative debate, proponents said it would serve to hold down Negro voting.

Darby also asked the court to determine whether the requirement that applicants interpret a section of the state constitution to the clerk's satisfaction is not being used to keep Negroes from registering to vote.

Federal Judge Sidney Mize of the Southern District has one of the most crowded dockets in the nation.

Judges from other states — mostly neighboring Southern states — have been giving him a hand.

When the suit will come to trial is difficult to say. Patterson was served Friday with copies of the papers and has 20 days in which to respond.

Challenge Mississippi's Anti-Negro Voting Laws

Call Kansas City, Mo. Fri. 4-4-58
JACKSON, Miss. — (ANP) — Mississippi's first civil rights suit to reach the courts since the 1954 Supreme court decision in the school segregation cases was filed here last Friday in the United States District court.

The action challenges amendments to the state constitution and laws which, in effect, deny Negroes the right to vote. It was filed by NAACP attorneys in behalf of Rev. H. S. Darby and other Negro citizens of Jefferson Davis county.

The action also challenges Mississippi's new anti-NAACP laws which prohibit the giving and receiving of financial aid and furnishing of legal services without charge in lawsuits. Violations of these statutes constitute a crime punishable by a prison term of one year.

Rev. Darby on two occasions tried to register in Jefferson Davis county in order to vote in Mississippi elections. On each occasion the registrar of voters required him to take a written examination.

This examination included a requirement that the prospective voter give a "reasonable interpretation" of a provision of the Mississippi constitution and demonstrate a "reasonable understanding" of the duties and obligations of citizenship.

This requirement was instituted following a 1955 amendment to the Mississippi constitution and voting statutes which are designed to restrict Negro voting.

Prior to these amendments the Mississippi constitution and statutes required a prospective voter to be able to read or write any provision of the Mississippi constitution or give a reasonable interpretation of it when read to him. The "reasonable understanding of the duties and obligations of citizenship" clause was not previously in the state constitution.

On each occasion on which Rev. Darby sought to register, he was denied the right on the ground that he had failed the examination.

Mississippi was one of the first deep-South states to enact legislation aimed at cutting off NAACP Legal Defense fund aid to southern Negroes in civil rights litigation. These laws, enacted in February, 1956, make it a crime to receive or give legal services without charge in a law suit or to accept financial assistance for the

purpose of commencing or prosecuting further any law suit.

Rev. Darby and his lawyers seek a federal court injunction enjoining Mississippi's Attorney General Joe T. Patterson from enforcing these laws and enjoining the registrar of voters of Jefferson Davis county from enforcing the amendments to the Mississippi constitution and statutes which are designed to restrict Negro voting.

Rev. Darby's Mississippi lawyer is R. Jess Brown of Vicksburg. NAACP attorneys in the case are Thurgood Marshall and Constance Baker Motley of New York.

PATTERSON ASKS CASE EXTENSION

Voter Registration Suit Response Sought

JACKSON, Miss. — Mississippi's attorney general said he has asked federal court to give him until June 1 to respond to the first challenge of state voter registration laws under the civil rights act.

Atty. Gen. Joe Patterson said his request for more time will be considered by U.S. District Judge Sidney Mize at 10 a.m. Saturday at Gulfport.

The suit was filed by the Rev. H. D. Darby, a Prentiss Negro. It seeks to enjoin Patterson and the Jefferson Davis County circuit clerk from enforcing Mississippi's voter registration laws on grounds they are interpreted so as to discriminate against Negroes.

"This suit is of great importance to Mississippi and is the first of its kind," Patterson said. "It attacks not only a section of our constitution but also our entire registration law."

The request for more time was based on the fact the Legislature is in session, resulting in demands on Patterson's office, and also on the fact Patterson has other court commitments.

He is due in Oxford Thursday to resist a habeas corpus petition filed in federal court there by attorneys for Robert Lee Goldsby, St. Louis Negro sentenced to die for the September, 1954, gunslaying of a Vaiden white woman.

Mississippi Judges To Hear Vote Suit

Three Mississippi judges will hear a civil rights lawsuit filed by a Prentiss Negro minister against the Jefferson Davis county circuit clerk.

The three man court will include Judge Sidney Mize of Gulfport, Judge Claude F. Clayton of Tupelo and Judge Ben F. Cameron of Meridian.

Judge Mize is district judge for south Mississippi and Judge Clayton was recently reappointed federal judge for the northern half of Mississippi. Judge Cameron is a member of the Fifth Circuit Court of Appeals in New Orleans.

Selection of judges to hear the case was made by Joseph C. Hutcheson Jr., of Houston, Texas, chief judge of the Fifth Circuit Court of Appeals.

Court officials here said law requires a three judge board in such cases.

Date and place of the hearing have not been set.

The three man court will hear a petition filed by Rev. H. D. Darby, Negro minister, asking an injunction against Jeff Davis County Circuit Clerk James Daniel.

Darby's petition charged he and members of his race are being refused voting rights in Jeff Davis county solely because they are Negroes.

State Atty. Gen. Joe Patterson was named as a co-defendant in the case.

Patterson has not answered charges filed in the petition last month. He was allowed 20 days in which to file an answer and has asked for additional time. Judge Mize will hear his motion for additional time today in Gulfport.

MISSISSIPPI JURISTS TO HEAR RACE ISSUE

Will Test Voting Law In Federal Court

JACKSON, Miss., April 3. — Three Federal judges, all from Mississippi, Thursday were appointed to hear a lawsuit challenging Mississippi's voting laws. They are Sidney Mize, judge of the South Mississippi District

journal this month.

Earlier this week, three Mississippi Federal judges were appointed to hear the case.

They are Judge Mize of the Southern District, Judge Claude Clayton of the Northern District and Judge Ben Cameron of the United States Fifth Circuit Court of Appeals at New Orleans.

Mississippi's Voting Laws

JACKSON, Miss. — (ANP) — Mississippi's first civil rights suit voting.

To reach the courts since the 1954 Supreme court decision in the school segregation cases was filed here last Friday in the United States District court.

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This requirement was instituted following a 1955 amendment to the Mississippi constitution and voting statutes which are designed to restrict Negro voting.

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DELAY IS OPPOSED IN NEGRO VOTE TEST

Mississippians' Lawyers To Fight State Request

VICKSBURG, Miss., April 4. — (AP) — Lawyers for the first Negro to test Mississippi's voter registration laws in Federal Court will resist the state's motion for a delay until June 1 in hearing the case.

Federal Judge Sidney Mize is to hear the motion, filed by Atty. Gen. Joe Patterson and Jefferson Davis County Circuit Clerk James Daniel, at 10 a.m. at Gulfport.

Jess Brown of Vicksburg, one of the attorneys for Rev. H. D. Darby of Prentiss, said he would appear at the hearing to oppose Mr. Patterson's request.

Brown said, "We're asking that the court set an early date for the hearing, rather than delay the case."

Rev. Darby challenges constitutionality of Mississippi's Voter Registration Laws on grounds they are interpreted and administered to disenfranchise Negroes.

His attorneys include Thurgood Marshall, chief counsel for the National Association for the Advancement of Colored People. The bill of complaint sets out that the NAACP is helping finance the court test. Mr. Patterson asked the delay because of several pending court cases and because of demands on his office occasioned by the fact the Legislature is in session. The Legislature is expected to adjourn this month.

Earlier this week, three Mississippi Federal judges were appointed to hear the case. They are Judge Mize of the Southern District, Judge Claude Clayton of the Northern District and Judge Ben Cameron of the United States Fifth Circuit Court of Appeals at New Orleans.

NEGROES HOPE TO GET 100,000 TO REGISTER

The Mississippi Progressive Voters League will hold its Fourth Annual Emancipation Progress conference January 7.

Keynoting the program will be a statewide voters rally and instruction in good citizenship.

The league has joined the regional council of Negro leadership in an effort to register 100,000 Negroes to vote this year.

LAWS WOULD LIMIT VOTER REGISTRATIONS

Mississippi Senate Passes Yarbrough Bill

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., Feb. 27.—Tightening of Mississippi's voter registration laws was approved in the Senate Thursday in passage of a bill introduced by Senator George Yarbrough of Red Banks. It still faces House action.

Under the bill, handled by Chairman W. B. Lucas of the elections committee, an applicant for voter status failing to pass the required examination would have to wait six months before being eligible for another test. At present, there is no waiting period. A person can apply each day until he either passes or is continually denied registration.

The proposal is designed to slow down a statewide drive by several Negro organizations for the qualification of 100,000 members of their race by next year's elections.

Written examinations are required, in addition to giving a "reasonable" interpretation of the Constitution to the satisfaction of the county registrar (the circuit clerk). The applicant must also be able to read and write and give a "reasonable understanding of the duties and obligations of citizenship under a constitutional form of government."

The Yarbrough Bill provides that in cases where an applicant fails his test, his application must remain on file in the county registrar's office until it has been reviewed by the County Election Commission.

Under the present law, an appeal may be taken to court after other steps have been exhausted.

MISSISSIPPI VOTE SUIT IS FILED

Negro Rights Sought by Action

By W. F. MINOR
(Times-Picayune Staff Correspondent)

JACKSON, Miss.—Negro voters in Jefferson Davis county Monday filed suit to invoke the new federal civil rights law and also strike down a 1955 state law aimed at curbing Negro voter registration.

The suit, filed by H. D. Darby, a Prentiss Negro minister, and other Negroes in the county, was believed to be the first filed using powers of the federal civil rights law passed last year.

Darby was one of a reported 1200 Negro voters in Jefferson Davis county who were purged from registration rolls last year when the county called a new registration.

The suit seeks an injunction against the county clerk, James Daniels of Jefferson Davis county, barring him from refusing to register Darby and "other Negroes similarly situated" under state voter registration laws and constitutional provisions.

Also named in the suit is Atty. Gen. Joe T. Patterson. The suit asks a three-judge federal court to decide the issue.

Filing of the suit—first civil rights action to be taken in Mississippi since the 1954 school segregation decision—immediately set off a wave of indignation in state political circles.

DECLINES COMMENT

Gov. J. P. Coleman, who declined to comment directly on the suit Monday, was meantime preparing an address to the Legislature Tuesday which is expected to deal with the voting suit.

Coleman has said that he does not consider Negroes ready for voting and supports strict educational qualifications for voting.

The 1955 law and constitutional provision which was ratified by state voters in 1954, prescribed for the first time that voters must be able to give a "reasonable understanding" in writing of the duties and obligations of citizenship.

Darby's suit charged the constitutional and statutory provisions "confer upon the registrars of voters in Mississippi an uncontrolled discretion to determine the eligibility of voters in Mississippi."

He contended they were administered by the clerk "in such a way as to discriminate against prospective Negro voters, solely on account of their race and color."

'GREATEST DISASTER'

State Rep. Zelaous Polk, Jefferson Davis county, said on the House floor the suit was "one of the greatest disasters our state has ever known so far."

The suit was also used in arguments on the Senate floor Monday to pass overwhelmingly a bill giving counties and cities authority to donate up to \$100 per one million dollars assessed valuation to the citizens councils.

Sen. Dees Stribling, Philadelphia, supporting the citizens council donations, said the suit was "all the more reason we should gather to ourselves the sinews of war . . . and put into the treasury of this organization money to fight fire with fire."

The voting suit made several references to the new provisions of the federal civil rights law.

It pointed out that the federal district court has jurisdiction of the proceeding "without regard to whether plaintiff shall have exhausted any administrative or other remedies that may be provided by law," under the new civil rights section.

This means that Darby and

MISSISSIPPI

the other Negro voters would not have to first carry their complaints through state administrative and legal channels.

Darby said he attempted to register on June 22, 1957, and was required by the circuit clerk to take a written examination for registration.

After he completed the written examination, he said the clerk advised him he could not register "on ground that he had failed to 'interpret' a provision of the Mississippi constitution and had failed to demonstrate a reasonable interpretation of the duties and obligations of citizenship."

SUIT CHARGE

The suit charged that in some instances the clerk had not permitted Negroes to take the required examination in order to qualify to vote.

A survey made in 1954 by the state legal educational advisory committee showed that 1221 Negroes were registered to vote in Jefferson Davis county. This number reportedly has dwindled to "less than 100" since reregistration.

Darby said he appealed within five days to the board of election commissioners in the county, but the board has failed to act.

(Meantime Monday it was learned from Henry C. Baker, chairman of the county election commission, that Darby's appeal is among those to be considered at a board meeting Tuesday.

R. Jess Brown, Vicksburg Negro attorney, represented Darby in filing the suit, but also listed as attorneys in the suit were Robert Carter, New York, chief counsel of the NAACP, and Thurgood Marshall and Constance Baker Hotley, attorneys for the NAACP.

WITHOUT FUNDS

Darby admitted in the suit that he and others for whom the suit was filed were without sufficient funds to launch the action.

The suit said that Brown received legal aid and financial aid to file the action from the NAACP Legal Defense and Educational Fund, Inc., a nonprofit charitable and benevolent corporation.

This reference was made in attacking the constitutionality of a 1956 Mississippi law against "champerty" or fostering legal action and securing outside funds for a suit.

Also attacked was another 1956 law against out-of-state attorneys who are not qualified by the state board of bar examiners to plead any case in Mississippi.

The Mississippi laws on champerty and practice of attorneys, the suit said, are "unconstitutional and void on their face, in that they make it unlawful and a crime, punishable by imprisonment for one year, for plaintiff in this case to 'receive or accept' any financial or personal assistance for the purpose of assisting (plaintiff) to commence or prosecute further any proceeding in the United States court."

Darby said in the suit that in addition to not having funds to launch the litigation, the persons for whom the suit was filed "out of fear or political and economic reprisals, by both private persons and public officials, would not bring such a suit as the instance case in their own names."

The suit defines the case as a "class action" brought by Darby "on behalf of himself and on behalf of other Negroes similarly situated."

An interpretation of this wording is that the action is sought to apply throughout the state of Mississippi and not only in Jefferson Davis county.

Darby is a minister of the African Methodist Episcopal church.

Medgar Evers, Jackson, executive secretary of the state NAACP branches, said later that the suit was not handled through his office, but he added "Negroes throughout the state of Mississippi applaud the action of Rev. Darby in our drive for first-class citizenship."

Voting Board May Consider Case Tuesday

PRENTISS, Miss. (Special) — The vote-registration appeal of H. D. Darby to the Jefferson Davis County Election Board "if on file" will be among those considered at the meeting of the board to day in the courthouse, Henry C. Baker, chairman of the board, said today.

"I am not acquainted with all appeals to come before the board, nor do I know what we can do in this individual case," Baker said.

The board meeting is the first held since Darby was denied the right to register last June, Circuit Clerk Daniel said in confirming the statement Darby had failed to pass a written examination last June 22, and announced he would appeal within five days.

It was the second time Darby failed an examination for registration, a federal court order having permitted him to take an oral examination some months previous to the 1957 registration attempt, Daniel said.

"The court ruled then he had been a registered voter and was entitled to an oral examination," Daniel said.

LITTLE KNOWN

Little is known in Prentiss of the minister. He first appeared in Prentiss about four years ago coming from Alabama and was connected with the Prentiss Institute, a Negro owned high school and junior college here. A. L. Johnson, an institute manager, was unavailable for comment yesterday.

Darby was reported to have taken an active interest in attempting to register Negroes in the county during the past several years.

Jeff Davis county is one of the heaviest Negro-populated counties in Mississippi, outside the "black" counties of the Delta.

The Mississippi Blue Book lists the population of the county at 15,500 of whom 8,610 are Negroes and 6,890 are white.

Mt. Carmel voting precinct in Jeff Davis county is predominantly Negro.

Negro Vote Crisis Spurs Another Try

BY DOUGLAS STARR

Associated Press Writer

Gov. J. P. Coleman today reissued his request for a constitutional convention — this time to strengthen the barriers against Negro voting. Coleman made his request at a joint session of the senate and house of representatives.

Coleman request came four days after a Jefferson Davis County Negro filed Mississippi's first suit challenging the constitutionality of the state's voter registration laws. He also charged discrimination against Negroes.

In his prepared address, Coleman suggested substituting a board of registrars for the present registrar who also is the circuit clerk.

Coleman said circuit clerks are not schooled in federal court decisions and "the great overwhelm-

Earlier federal court petition story on page 11.

ing majority of them are not prepared to cope, on an equal footing, with the voting onslaughts we are just before experiencing under the terms of the 1957 Civil Rights Act."

He suggested Mississippi "must make a new start and make certain it is the right kind of start."

"Half-way measures, half-hearted efforts, can no longer get the job done."

MUST CLEAN SLATE

"We must wipe the slate clean of all existing defects and difficulties. We must free ourselves of all past committee reports and legislative journals."

He referred to debates and explorations on legislation designed to curb Negro voting.

Coleman has said he believes the Mississippi Negro is not ready to assume the responsibility of citizenship and vote.

His suggestion was to create in each county a three-member board of registrars, including one lawyer.

In addition, he said, "I think our laws should be changed to allow

registration at regular intervals of, say, twice a month, something like the second and fourth Tuesday.

"At that time, all those desiring to register could present themselves and take the examination now required by law."

"Then the board of registrars could grade the papers and those who passed would be notified that they were registered and those who failed would be notified of denial of registration."

"I am convinced, as a lawyer, that the only way these things can successfully be handled is in a constitutional convention."

NEGRO VOTER PURGE SEEN IN MISSISSIPPI

ReRegistrations May Bring
Civil Rights Law Action

DARBY CHARGES STUDIED

By TIM PARKER

Associated Press Staff Writer

JACKSON, Miss., March 22.—A purge of Negro voters in Jefferson Davis County may have sparked the first invocation of the Federal Civil Rights Act against Mississippi voting laws.

Rumors have circulated for months that Negroes were marked off of the rolls en masse in Jefferson Davis County last year. That's the home county of Rev. H. D. Darby, Negro minister who brought the suit.

The New Orleans Times-Picayune said last November the reregistration trimmed the number of Negro voters there from 1,221 to "a reported 70."

Others Reported

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Wouldn't Be Easy

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Figures Cited

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Suit Pending

Darby also asked the court to determine whether the requirement that applicants interpret a section of the state Constitution to the clerk's satisfaction is not being used to keep Negroes from registering to vote.

Federal Judge Sidney Mize of the Southern District has one of the most crowded dockets in the nation.

Judges from other states—mostly neighboring Southern states—have been giving him a hand.

When the suit will come to trial is difficult to say. Attorney General Patterson was served Friday with copies of the papers and has 20 days in which to respond.

Must Answer Negro's Suit By May 15

GULFPORT, Miss. (UP)—U. S. District Judge Sidney C. Mize Saturday gave the state until May 15 to answer an NAACP-sponsored lawsuit challenging Mississippi's voting laws.

Attorney General Joe Patterson and Jefferson Davis Circuit Clerk James Daniel, defendants in the suit, had asked until June 1.

The defendants said they had many other duties to perform and they would be "hampered, hindered and obstructed" in filing a suitable answer in the original time prescribed, 20 days from the date process was served.

The suit was filed last month by the Rev. H. D. Darby, Negro minister of Prentiss, who charged that he was prevented from registering because of his race.

State Legislature Passes Bill Designed To Offset Negro Vote Registration Permanent Office For Registering Voters Abolished

The Mississippi State Legislature Tuesday gave its answer to the NAACP lead drive to increase the 100,000 the number of qualified Negro voters in the state by the enactment of a new law designed to offset Negro registration.

The new bill abolishes the permanent office for the registering of voters previously lodged in the office of the Circuit Clerk of each County.

The Senate Tuesday passed a House bill authorizing a chancery judge-appointed registrar of voters who will accept voter registrations at specified times in each county courthouse.

Under the bill, proposed in principle by Gov. J. P. Coleman, the chancellor would appoint the reg-

istrar who would be constituted an inferior court.

As an inferior court, the registrar could open the books for registration at specified times for a maximum of five days in each courthouse in the county. Some counties have two courthouses.

The registrar would be the sole judge of whether applicants for registration qualify under Mississippi law.

The law requires each prospective voter to be able to read, write and interpret a section of the Constitution and to describe the duties of citizens, all to the satisfaction of the registrar.

In Mississippi, all chancerys are white.

In explaining the bill, Sen. W. B. Lucas of Macon urged against acceptance of any amendments on grounds it might delay passage of the bill, if not defeat it through lack of time to pass it.

Sen. Earl Evans of Canton told the Senate: "You all know the purpose of this bill. Let's don't go into that."

That has been the phrase used in explaining bills to strengthen the state's barriers against integration.

Lucas suggested the chancellor "will be very panistaking in appointing registrars under this bill."

The bill now goes to the governor.

The NAACP And The Right To Vote For Mississippi Negro Citizens

The JACKSON ADVOCATE, and its Editor and Publisher, from its beginning back in September, 1939, single handed, and while most of the now vocal Negro leaders and present day NAACP adherents stood back and looked on in askance and fear, started a campaign for the right of Negroes to vote, and the need for political participation by the intelligent Negro citizens of the state.

The campaign which we started was based on the proposition, of repeated, and to which we still hold, that no substantial progress can be made from existing conditions in Mississippi, either one way or the other, until the intelligent Negro citizens of the state are able to join with the intelligent white citizens of the state in voting and political participation, and thus together bring about those conditions which will make the state a better place, a place of greater opportunity, for both its Negro and white citizens.

In our campaign we brought about an increase in the number of Negro voters in the state from practically nothing in 1939 to upwards of 25,000 by 1954, the year to be remembered as the year of the U. S. Supreme Court decision in the school integration promoted and fostered by the NAACP.

Not only were we able to increase the number of Negro voters in the state, but during the period from 1939, despite the open hostility at the beginning, our campaign resulted in a complete change in public opinion in the state as regards Negro voting and political participation, and by 1954, before the school integration decision, there were few responsible sources of public opinion and leadership in the state that had not conceded that the time had come for the Mississippi Negro to have the right to vote and of political participation.

The campaign which we led and carried on during the period mentioned which saw the organization of the Mississippi Negro Democrats Association which brought to the campaign some outstanding leaders at the local levels in various sections of the state was carried on without any aid, advise, or assistance of any kind from the NAACP. Indeed until the late 1940's there was no NAACP activity or membership in Mississippi of any consequence, and the national organization lacked both the funds and the issues of its subsequent prominence.

Beginning in the late 1940's, backed by the international as well as the national political circumstances, and in a campaign for "equality under the law, the NAACP by 1954 had moved into the dominating position of Negro leadership, national prominence and influence, and secure in that position, at least for the moment, despite warnings from some well informed, powerful and influential sources, the NAACP moved from its campaign for "equality under the law, to a campaign for racial integration, and thus, in the matter of voting and political participation for the Mississippi Negro brought to an end the most hopeful period in Mis-

issippi Negro history, the period from 1939 to 1954.

Since the decision in the school segregation cases promoted and fostered by the NAACP the legislature has rewritten the voters registration law for the obvious purpose of making it more difficult for Negroes to register and qualify to vote. Worst of all there has been a complete reversal in public opinion in the state regarding the Negroes right to vote and political participation from that which was everywhere evident before the demand for racial integration.

Down in Jefferson Davis County, where more than 1,000 Negro voters registered and qualified to vote in the period we mentioned, have been wiped from the poll books, a Negro Minister, a Rev. H. D. Darby, has filed a suit to set aside the recently enacted state voters qualification in law.

If and when a favorable decision is rendered in the case, in the face of existing public opinion, as far as it will benefit the rank and file of Negro voters in Jefferson Davis County it will be a little more than a scrap of judicial paper.

There were those in responsible position of leadership in the South, as well as in other sections of the nation who pointed out to the NAACP that to secure the right to vote for the Negro in the South was its best course, and the best for the Negro, but its leadership, for reasons known to perhaps only a few people in the nation, chose to demand immediate integration of the races, and thus succeeded in getting its cart before the horse.

In 1890, having been disfranchised as a result of the animosity created by the presence of federal troops during the reconstruction era who had been sent to the South at the insistence of some misguided friends of the southern Negro, Negroes started filing suits to regain the right to vote, but it was not until 1946, some 56 years later before the right had been completely restored. Having gotten its cart before the horse, we are of the opinion that there is little the NAACP is going to be able to do in the matter of the right to vote for Negroes in Mississippi for a long time to come, if ever, for its horse is going to find it increasingly difficult to go forward while walking backward.

New Voting Bill Passed

House-Approved Act Calls
For Registration Clerks

Mississippi circuit clerks would surrender voter registration duties to court-appointed registrars to safeguard white domination of the ballot box under a bill that swept through the House yesterday without a dissenting vote. Scheduled for early action in the Senate today, the

measure provides for chancery judges to appoint registrars who take on the legal status of inferior courts. The registrar would be authorized to appoint a lawyer to assist him. to strike the requirement that the sheriff or a deputy should attend the court when the registrar asks for him.

Action on the measure came swiftly after Gov. J. P. Coleman told the Legislature Tuesday the elective circuit clerks often are not lawyers and "are not prepared to cope... with the voting onslaughts" expectable under the Civil Rights Act.

Coleman's address to a hurriedly called joint assembly came a day after disclosure that a Negro minister has filed the first federal court challenge to Mississippi's voter registration laws. The minister invoked provisions of the Civil Rights Act.

As passed by the House, the bill provides for registrars to receive applications for registration for no more than five days a month. Circuit clerks, who now handle applications for registration, keep their offices open during all business hours.

Under the bill the registrar would become an inferior court with the circuit clerk becoming the clerk of the court. The court could hire its own attorney and the sheriff of the county would attend as an officer of the special court.

Coleman warned legislators that circuit clerks might handle registration examinations "in a manner that will not stand the scrutiny of the federal courts" or be "presured into registering all those who ask for registration in order to stay out of trouble."

If that happens, the Governor said, "we shall soon be engulfed by wholesale voting of unqualified persons in Mississippi." Coleman has said he does not believe the Mississippi Negro is ready to vote.

Rep. Herschal Cameron of Lamar county called the bill "one of the most important to come before this legislature."

Cameron said, "I come from one of those counties where people who have not been on the voting rolls are trying to get on."

The bill, handled on the floor by Rep. Maurice Black of Carroll county, brought an immediate stir around the speaker's rostrum at the front of the House chamber.

Rep. George Rogers of Warren county was defeated on his efforts

Rogers, who supported the bill, said he can "see no reason why the highest paid political officer in the state should have his compensation increased."

Rep. Jimmy Morrow rose to oppose Rogers' amendment, declaring, "the provision for the sheriff is one of the most important features of the bill."

Black agreed with Morrow, and so did Rep. Buddy Newman of Issaquena who said, "in some areas it might be necessary to have the sheriff in attendance."

"If you take that provision out," Newman argued, "You will kill the bill."

The House accepted an amendment offered by Rep. John Farese of Benton county to eliminate a provision in the present statute for appointment of three-member county election commissions "who shall not all be of the same political party."

Farese told the House, "I am afraid the NAACP might form an independent party and demand representation on the commission."

The House granted Claiborne county permission to hold special elections to choose its registrar, rather than have him appointed by the chancery judge. The action came on an amendment offered by Reps. Russell Fox and P. M. Watkins.

The House turned down an amendment offered by Rep. John Kennedy of Marshall that would have given the county election commission authority to "gerrymander, abolish or change hp voting precincts."

Such an action recently occurred in Alabama where an entire county was abolished to eliminate a concentrated Negro voting settlement.

Mississippi's Voting Laws Challenged For First Time

JACKSON, Miss. (INS)—Gov. J. P. Coleman urged the Mississippi legislature Tuesday to call a Constitutional Convention to shore up the state's defenses against attacks by integration forces.

The governor told a joint session of the legislature that the state has enough anti-integration laws on the books at present which "would be sustained in the Federal Courts." But he added:

"The pitfall—any unless something is done, it will be a very fatal pitfall—is to be found in the administration of these provisions."

Coleman's appeal came on the heels of a suit filed by the NAACP on behalf of a Negro clergyman which challenged the state's voting laws as discriminatory against Negroes. It was the first such suit filed in Mississippi and the first filed in the nation, based on the 1957 Civil Rights Act.

The suit, filed in U. S. District Court in Jackson Monday, alleges that the minister, the Rev. H. D. Darby, and other Negroes were denied the right to vote by registrars and called upon the court to issue an injunction halting such practices.

The question of voting registrars formed the theme of Coleman's speech Tuesday.

Quoting extensively from a speech made last November on the same subject, the governor urged the state constitution substitute the present system of having circuit clerks double as county registrars for a three-member Board of Registrars in each county.

He suggested that each board contain "at least one lawyer."

He said:

"Without in any way reflecting on the honesty . . . of our circuit clerks, they are no lawyers, they are not schooled in Federal Court decisions and the great majority of them, therefore, are not prepared to compete on an equal footing with the voting onslaughts we may experience under the terms of the 1957 Civil Rights Act."

Unless registrars are fully aware of the issues involved, Coleman added, "We would soon be engulfed in wholesale voting by unqualified persons in Mississippi if they (the registrars) succumb to the

threat of federal prosecution."

The governor told the lawmakers: "We do have sound laws if we can only have them administered by fearless, intelligent, properly qualified people."

In urging that the changes be made by constitutional revision, Coleman said:

"We must make a new start and we must make certain that it is the right kind of start. Halfway measures, halfhearted efforts can no longer get the job done . . ."

Mississippi Registration Laws Changed

JACKSON, Miss. (INS)—The State House of Representatives unanimously passed a bill Wednesday changing voter registration that the minister, the Rev. H. D. Darby, and other Negroes were denied the right to vote by registrars and called upon the court to issue an injunction halting such practices.

A suit challenging Mississippi voting laws had been filed in federal court at Jackson Monday by a Negro minister and supported by the National Association for the Advancement of Colored People.

The suit, filed by the Rev. H. D. Darby of Prentiss, Miss., challenges the right of an elected circuit clerk to decide who is eligible to register to vote. Under the present law a clerk must give a written test and decide whether the applicant passes it. The suit charges the clerk is not qualified to grade test papers.

The bill approved by the House gives county registrars some judicial authority since they would be appointed by the court. Registrars would be given legal advice by attorneys.

The bill also provides that registration be held only five days each month.

The minister who filed the suit charged that Clerk James Daniels of Jefferson Davis County refused

to register him because of his race.

Filed by the Rev. H. B. Darby

First Civil Rights Suit for Miss.!

JACKSON, Miss.—Mississippi's first civil rights suit to reach the courts since the 1954 Supreme Court decision in the school segregation cases was filed here in the U. S. District Court. The action challenges amendments to the state constitution and laws which, in effect, deny Negroes the right to vote.

It was filed by NAACP Legal Defense and Educational Fund attorneys on behalf of the Rev. H. B. Darby and other Negro citizens of Jefferson Davis County. The action also challenges Mississippi's new anti-NAACP laws which prohibit the giving and receiving financial aid and furnishing legal services without charge in law suits, violations of these statutes constitute a crime punishable by a prison term of one year.

THE REV. MR. DARBY on two occasions tried to register in Jefferson Davis County in order to vote in Mississippi elections. On each occasion the registrar of voters required him to take a written examination. This examination included a requirement that the prospective voter give a "reasonable interpretation" of a provision of the Mississippi Constitution and demonstrate a "reasonable understanding" of the duties and obligations of citizenship.

This requirement was instituted following a 1955 amendment to the Mississippi Constitution and voting statutes which are designed to restrict Negro voting in the state.

Prior to these amendments the Mississippi Constitution and statutes required a prospective voter to be able to read or write

any provision of the Mississippi Constitution or give a reasonable interpretation of it when read to him. The "reasonable understanding of the duties and obligations of citizenship" clause was not previously in the state constitution.

ON EACH occasion on which the Rev. Mr. Darby sought to register, he was denied the right on the ground that he had failed the examination.

The Rev. Mr. Darby's Mississippi lawyer is R. Jess Brown of Vicksburg.

NAACP legal defense and educational fund attorneys in the case are Thurgood Marshall and Constance Baker Motley of New York.

Pass Bill To Change Vote Procedure

JACKSON, Miss. (INS)—The State House of Representatives unanimously passed a bill last week changing voter registration procedure in Mississippi.

The measure takes registration authority from circuit clerks and places it in the hands of county registrars to be appointed by the state's chancery judges.

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GOV. COLEMAN CRIES "PITFALL"

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The governor told a joint session of the legislature that the state has enough anti-integration laws on the books at present which "would be sustained in the Federal

Courts." But he added:

"The pitfall—and unless something is done, it will be a very fatal pitfall—is to be found in the administration of these provisions." Coleman's appeal came on the heels of a suit filed by the NAACP on behalf of a Negro clergyman which challenged the state's voting laws as discriminatory against Negroes. It was the first such suit filed in Mississippi and the first filed in the nation, based on the 1957 Civil Rights Act.

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He suggested that each board contain "at least one lawyer."

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ed in wholesale voting by unqualified persons in Mississippi if they (the registrars) succumb to the threat of federal prosecution."

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"We must make a new start and we must make certain that it is the right kind of start. Halfway measures, halfhearted efforts can no longer get the job done..."

Vote Registrar Bill Is Passed

By W. F. MINOR

(Times-Picayune Staff Correspondent)

JACKSON, Miss. — Mississippi's House acted quickly Wednesday to revamp the status of the voter registrar throughout the state to combat a legal drive by Negroes for more voting rights.

Without a dissenting vote, the House approved a bill replacing the circuit clerk as the county registrar of voters with an appointed registrar who would become an inferior court officer.

The new registrars, who would be appointed by the chancery judges in each county, would be available for registration of new voters only at intervals.

Passage of the measure followed in the heels of the filing in federal court here Monday of a suit by Jefferson Davis county of Negro voters against the circuit clerk for refusal to register them.

Earlier, the Senate tossed the federal school term bill back in the lap of the House by substituting its \$104 million version for the House-passed bill.

House members cautiously avoided mentioning that the new registrar bill was aimed at circumventing efforts of Negroes to register in many counties.

Gov. J. P. Coleman Tuesday called for constitutional revision of the status of voting registrars and their replacement by a three-member board of registrations with quasi-judicial powers to take registrations only at intervals. He urged lawmakers to call a constitutional convention to establish the provision in the constitution.

Under the bill passed Wednesday, the registrar would hold court to receive applications for registration on the second Monday of each month, but could adjourn to any later day at his pleasure.

He would employ an attorney under the act to assist him in performance of his duties. Sheriffs deputies would be stationed at the "court" of the registrar while it was in session. The circuit clerk would be the clerk of the registrar's court and perform the clerical services required.

One member, Rep. Herschel Cameron, Lamar county, made a broad hint on the floor as to the purpose of the bill.

"This is one of the most important bills we have. I come from one of those counties where people who have not been on the voting rolls are trying to get on them," he said.

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burg, declared: "We're put into the same impasse we've been in for a month in passing a bill which the House has refused to adopt."

Rev. Darby was on the stage but declined to answer reporters' questions after the meeting. "See my lawyer," he said.

Fund Bill To Be Reported

Mitchell said he would tell a congressional committee next week of a bill in the Mississippi legislature that would authorize counties and cities to appropriate money for the Citizens Councils to fight racial integration.

"How sad it is to see that in your Legislature the Citizens Councils have put on dark glasses and a tin cup and are begging for money," Mitchell said.

He said he would testify next week before a congressional committee studying a bill to continue Federal aid to schools in defense impact areas "and one of my statements will be that Mississippi is giving its tax money to the White Citizens Councils."

The NAACP is seeking a rider in the bill that would bar funds from the Washington Bureau to segregated schools.

"There is no need for gradualism," Rev. R. L. Drew said. "We want the right to vote and we want it now." He said Mississippi had "been given a choice" between extending it voluntarily or through the courts.

Also present at the meeting was Gov. Orval Faubus, who was seated at the head table only a short distance from the unidentified Negro, who sat at a table with whites and calmly ate his meal. Negro attendance at Democratic Party functions in Arkansas hasn't been unusual in past years.

Identity of the Negro wasn't disclosed.

NAACP VOTING RIGHT PLEDGED BY NAACP

Suits Will Be Filed, Mitchell Tells Mississippians

1200 AT JACKSON RALLY

By The United Press

JACKSON, Miss., March 30.—A national leader in the NAACP told a cheering, statewide Negro voting rally that if any Negro in Mississippi is barred from registering "and comes to us for help we will file suits in his behalf."

Mitchell said "History made a full circle" with filing of the suit in a county named for the President of the Confederacy.

"When that suit is won and the Negro people vote in Jefferson Davis County that will make the name of Jefferson Davis synonymous with civil rights rather than rebellion against the United States," Mitchell said.

Only Sen. Ellis Bodron. Vicksburg, declared: "We're put into the same impasse we've been in for a month in passing a bill which the House has refused to adopt."

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HOUSE ACTS TO CURB NEGRO REGISTRATION

Mississippians Plan Lower Court With Appointed Registrar At Head

By KENNETH TOLER

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., March 19.—An additional deterrent to widespread registration of Negroes was voted unanimously Wednesday by the Mississippi House of Representatives.

The proposal, which awaits Senate action, places responsibility for registering voters in an inferior court to be appointed by the Chancery Court judge with the legal status of an inferior court.

Follows Suit By NAACP

Although considered after a suit had been filed by the National Association for the Advancement of Colored People attacking the present system of registration, a change in the present statute had been recommended to a November special session by Gov. J. P. Coleman in anticipation of a court challenge.

Under the proposal, the appointed registrar would receive applications and act on them once a month. The inferior court would meet for five days to consider applicants, with the sheriff of the county attending as an officer of the special court.

At present, applicants may present requests at any time to the circuit clerk, who has sole discretion as to whether they comply with the statutes. If turned down one day, the applicant may reappear the next and so on.

Clerk's Power Top Issue

The wide discretionary authority now vested in the circuit clerks, who serve as county registrars, is the main point at issue in the suit filed in Federal Court here by the NAACP on behalf of Rev. H. D. Darby, pastor of the African Methodist Episcopal Church at Prentiss in Jefferson Davis County. An official statement that Rev. Darby was one of 1,300 Negroes removed from the registration rolls and denied re-registration.

Representative Maurice Black of Carroll County, chairman of the committee on registrations and elections, handled the bill in which there was no mention of the pending Federal Court

Commercial Appeal
Importance of the sheriff attending the sessions of the inferior court was brought out by Representative C. B. Newman of Issaquena County, who said that is "one of the most important provisions of the bill." His statement was in opposition to an amendment by Representative George Rogers of Warren County, who sought to eliminate that provision for the sake of economy. The bill allows the sheriff to pay for attending court and regular fees in the execution of its orders.

Commissions Eliminated

A provision in the present statute for appointment of three-member county election commissions "who shall not all be of the same political party" was eliminated in an amendment by Representatives John Farese of Benton County, and R. C. McCarver of Itawamba County.

"I am afraid the NAACP might form an independent party and demand representation on the commission," Representative Farese said.

Counties of 15,000 population and less along the Mississippi River are permitted to elect their registrars in event 10 per cent of the qualified electors

petition the board of supervisors to call an election for that purpose. The amendment providing that was offered by Representative Russell Fox of Claiborne County and P. M. Watkins of Thursday. It will be handled by Claiborne-Jefferson Counties. Representative Thompson Mc-

The bill, substituted for one calling for appointment of a three-member registration board as favored by Governor Coleman, authorizes the Chancery Court judge to appoint a registrar in each county who would serve four years.

Clerk To Keep Records

The circuit clerk would serve as clerk of the proposed "inferior court" to be presided over by the appointed registrar. The circuit clerk would keep the records of the inferior court which could not be removed "unless by lawful order of a competent court."

Under the bill, the registrar would be permitted to employ counsel to advise and assist him in performing his duties.

In recommending a change in the registration statutes, Governor Coleman told the lawmakers in a special appearance Wednesday morning that "the pitfall, and unless something is done it will be a very fatal pitfall, is to be found in the Administration of the registration laws."

Governor Coleman said circuit clerks are not lawyers schooled

in Federal Court decisions "and the overwhelming majority of them therefore are not prepared to cope on an equal footing with the voting onslaughts we are just before experiencing under the 1957 Civil Rights Act."

The Governor in recommending a change said the wide powers given Circuit clerks in denying registration to applicants "can become the nail which lost the show, which lost the horse and in turn lost the man."

Weakness Is Avoided

"If he (Circuit clerk) does not know how to administer the educational test prescribed by our laws, or if he is the type person who would easily be intimidated by the threat of Federal prosecution, he will be inclined to let the gap down," the Governor said. "If he handles the questionnaires in a manner that will not stand the scrutiny of the Federal Courts, or if he is pressured into registering all those who ask for registration in order to stay out of trouble, we will soon be engulfed by wholesale voting of unqualified persons in Mississippi."

Earlier, Governor Coleman had said the Negro "is not ready to gain amendments, designed to bolster the state's hold on public school segregation, is scheduled for consideration in the House Thursday. It will be handled by Representative Thompson Mc-

Negro Vote Case Delay Granted

VICKSBURG, Miss. — Federal district judge Sidney Mize has granted the attorney general an additional 15 days in which to answer a Negro's charge that he has been denied the right to vote because he is a Negro.

Asst. Atty. Gen. Dugas Shands requested the extra 15 days, to June 1—the second 15-day extension—because of the intricacies of the case.

The Rev. H. D. Darby of Prentiss, filed the suit in federal court charging that Mississippi voter registration laws were not administered to Negroes on the same basis as to whites.

Negro Voters Purge In Mississippi May Spark First Rights Law Test

JACKSON, Miss. (AP)—A purge of Negro voters in Jefferson Davis County may have sparked Justice Department announcement of the first invocation of the federal civil rights act against Mississippi voting laws.

Rumors have circulated for months that Negroes were marked off of the rolls en masse in Jefferson Davis County last year. That's the home county of the Rev. H. D. Darby, Negro minister who brought the suit. The New Orleans Times-Picayune said last November the registration trimmed the number of Negro voters there from 1,221 to "a reported 70."

Re-registrations also are reported under way in Madison and Lauderdale counties, with no indications yet of whether Negroes were purged. A re-registration in Adams County reportedly has left most Negroes on the rolls. Re-registration is designed to clear the rolls of all names of those who have died or left the county or who have otherwise ceased to be a qualified voter.

Voting records, like Mississippi election laws, make no direct reference to color. In some counties, circuit clerks are known to use symbols of some sort so that those in their confidence can tell the race of registrants. Generally speaking, a stranger looking at the records would have difficulty making his own determination.

Even so, Atty. Gen. Joe Patterson told Mississippi circuit clerks in the fall of 1956 that they needn't open their record books to federal snoopers. In the wake of a U.S. Justice plan to send investigators to the South after the 1956 presidential election, Patterson wrote circuit clerks:

"This is to advise you that you are not required to answer any questions that may be propounded to you by these agents with reference to the administration of the affairs of your office."

"Neither are you required to turn over to these agents for their inspection any of the records in your office, unless you should receive a court order directing you to make such records available to them."

Gov. J. P. Coleman called the Justice Department announcement "a cheap political bluff" and "mass slander."

But the suit filed in federal district court here by the Prentiss Negro invokes a section of the civil rights law which gives the court the right to act without having to "exhaust administrative remedies." In other words, state agencies could be circumvented.

The latest official figures on the number of Negro voters in Mississippi were provided by Coleman in 1954 when he was attorney general. He said then that a survey showed only 22,000 of Mississippi's 900,000 Negroes had registered, only 8,000 had paid their poll taxes and fewer than that had voted.

Darby's suit asks the court to determine if this amendment is not being used to disenfranchise Negroes. During legislative debate, proponents said it would serve to hold down Negro voting.

Darby also asked the court to determine whether the requirement that applicants interpret a section of the state constitution to the clerk's satisfaction is not being used to keep Negroes from registering to vote.

Federal Judge Sidney Mize of the Southern District has one of the most crowded dockets in the nation.

Judges from other states — mostly neighboring Southern states — have been giving him a hand.

When the suit will come to trial is difficult to say. Patterson was served Friday with copies of the papers and has 20 days in which to respond.

Negroes Start Vote Drive With Small Attendance

A mass meeting designed to kickoff a drive for 100,000 Negro voters in Mississippi was apparently unsuccessful here last night.

Less than 60 persons appeared at Pearl St. AME Church to hear Rev. J. F. Redmond of Greenville open the voters drive of the Mississippi Progressive Voters' League.

A program passed out at the church listed 12 Jackson Negroes who were to take part. When they were called for speeches only four appeared.

The "mass meeting" closed the fourth annual Emancipation Progress Conference of the voters' league. League Secretary James White of Jackson said a larger group attended the afternoon session but left before night.

Redmond warned the Negroes that "men must sit down, under God, and work out their problems together". He charged the

present day trends in the world will force the "new Negro" and the white man to work on "even keel".

He blasted Southern industries for failure to employ great numbers of Negroes. "They're moving South to get away from labor unions and the Negro," he said.

He called on Mississippi Negroes to halt migration to large cities of the north, and to stay in the state and "carry your load because day is breaking" on a new racial situation in the state.

Study Negro In Politics

Clarion-Ledger City Editor

The custodians of Mississippi's "white supremacy" machinery might do well to take a serious, studied look at the state's present population lineup.

This is especially true in view of the NAACP's vigorous drive for Negro voting rights, now given added strength by new Federal Civil Rights laws.

The U.S. Census Bureau in 1950 counted 1,188,429 Whites and 986,707 Negroes in Mississippi.

Statewide, this is a presently safe but not comfortable margin for the Whites. But, once one moves from state to district and county lines both safety and comfort suffer setbacks.

31 COUNTIES

It is shown that 31 of Mississippi's 82 counties have Negro population majorities, mostly in the western half of the state. These counties are Marshall, DeSoto, Tate, Tunica, Panola, Quitman, Coahoma, Tallahatchie, Grenada, Carroll, Leflore, Sunflower, Bolivar, Holmes, Humphreys, Washington, Sharkey, Issaquena, Yazoo, Madison, Warren, Claiborne, Copiah, Jefferson, Wilkinson, Amite, Jefferson Davis, Jasper, Kemper, Noxubee and Clay.

Several other counties are on the border line and the 1960 census may turn up different results.

The heavy gang-up of Negro population in the Delta section would make it practically impossible to remedy the situation by abolishing counties or re-arranging county lines as was done recently in another Southern state.

One of the things that stands out strongly in a population study

of the state is that every one of the 11 counties in Congressman Frank Smith's 3rd District has a Negro majority. The population figures, with the Negroes leading better than 2 to 1, are 284,916 Negroes and 126,643 Whites for a total of 411,559.

CLOSE IN 4TH

Stepping down to Congressman John Bell Williams's 4th District, it is found that there the Whites have no room to relax. Seven of the thirteen counties have Negro majorities, although district-wide the Whites hold a slim 1,754 population edge. The totals are 214,007 Whites and 212,253 Negroes for a total of 426,260.

One of the surprising results of the survey was in the Central Supreme Court District. There it was found that Negroes outnumber whites 424,868 to 356,919 for a total of 781,787. This would mean that full employment of the ballot by the Negro and along color lines would give the Negro control of the three Supreme Court seats from the district, one Highway Commissioner and one Public Service Commissioner. The lineup, thus, would be 3 of 9, 1 of 3 and 1 of 3, respectively.

The Northern Supreme Court District finds 12 of the 31 counties with Negro population majorities. The ratios are 394,354 Whites and 331,292 Negroes for a total of 725,646. The margin is not too close, nor is it as far apart as the Whites would probably like to have it. The extreme Northeastern counties provide the near solid white population that prevents the Negroes from having a majority.

LEGISLATURE

Only 7 of the 30 counties in the Southern District have Negro majorities, and district-wide the

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Whites far outnumber the Negroes.

Along color lines, the legislative lineup represents another situation. Based on population lines, it is found that the Negroes could control 17 of the 49 Senatorial seats and 58 of the 140 seats in the House of Representatives. This ratio would not give the Negro a majority vote, but it would give him a balance of power on many issues. Too, this ratio would be particularly significant on questions requiring more than a majority vote, such as a three-fifths vote on revenue matters and a two-thirds vote on constitutional amendments, suspension of rules and other matters.

All in all, it can be readily seen that the full employment of the ballot by the Negro would represent a serious threat to "white supremacy".

The potential is political dynamite.

STATE GROUP WRITES TO OFFICIALS ON NEGRO VOTING

A state Negro Organization this week said it had mailed letters to officials of 31 Mississippi counties in which Negroes are denied the right to register and vote.

The letters to sheriffs and circuit clerks make up the first step in a campaign by the Regional Council of Negro Leadership to increase the number of Negro voters by 100,000.

The organization promises to carry the matter to Gov. J. P. Coleman if the county officers take no action. They plan to go before the federal Civil Rights Commission should Coleman fail to remedy the "pitiful situation."

The council told the circuit clerks and sheriffs that a survey showed "several methods of intimidation" have been used in the 31 counties to keep Negroes from casting votes.

Negroes feel that you and other influential white people are not entirely in favor of their registering," the letter states. "This impression generates a fear complex which makes them somewhat afraid to try."

"We earnestly seek your cooperation in this effort to further the cause of Democracy in our state," the council told the officials in the letter signed by executive sec-

retary Aaron Henry of Clarksdale.

The letter went to officials in the following counties:

Calhoun, DeSoto, Panola, Tallahatchie, Carroll, Humphreys, Issaquena, Sharkey, Clay, Lowndes, Monroe, Lee, Alcorn, Choctaw, Noxubee, Attala, Montgomery, Yazoo, Bolivar, Tunica, Sunflower, Webster, Holmes, Tate, Jefferson, Walthall, Clarke, George, Lamar, Pearl River and Wayne.

Only One of Mississippi's Congressmen Has Opposition

Sen. Stennis Also Is Unopposed Thus Far in Off-Year Election

By KENNETH TOLER

Mississippi Bureau, The Memphis Commercial Appeal
Special to The Atlanta Journal-Constitution

JACKSON, Miss., Jan. 18—Thus far, only one of Mississippi's six United States representatives faces the prospect of opposition in the Aug. 26 Democratic primary election. The others are apparently "home free" insofar as having to stump their respective districts in the coming summer months.

Also without "rumor" of opposition is United States Sen. John Stennis.

Other elections scheduled this summer involve 18 chancery, 19 circuit and 13 county court judges, along with two members of the county school boards in each of the 82 counties (the other three do not stand for reelection this year).

Charles Sullivan, district prosecuting attorney of Clarksdale, is the reported likely opponent of Rep. Frank Smith in the Third District. Like others who may enter the primary, Mr. Sullivan has until 60 days before the election to qualify.

Heavy Negro Vote

In the Third District, Negroes outnumber whites in the 11 counties on a population basis, but not in voting strength. Possibly the largest Negro vote is in Washington County (Greenville) where an estimated 2,000 have that right. The total vote in that county in the 1955 race for governor was 6,669.

Statewide, the Negro vote has been estimated under 30,000. That compares with 435,227 cast in the 1955 Democratic primary for governor.

However, under the new federal civil rights law an increased Negro registration is anticipated. The effect will be felt largely in the Third Dis-

an active part in a law firm with his son at Pascagoula. Announcement of the partnership is what started rumors that he planned to step down and sent "kites" of prospective candidates flying in the 16 counties making up the district.

Others Unopposed

Incumbents with no "reported" prospects of opposition are Rep. Thomas Abernethy of the First District; Rep. Jamie Whitten of the Second; Rep. John Bell Williams of the Fourth; Rep. Arthur Winstead of the Fifth, and Mr. Colmer.

Many of the chancery and circuit judges plan to retire with expiration of their present terms.

Planning to step down is Chancellor Herbert Holmes of Senatobia, former chairman of the Democratic state executive committee, in the Third District.

Plans are on foot at the current biennial session of the legislature to divide up the 11-county third chancery court district. Legislators are now working on a new setup for the area, with some politics involved since one prospective candidate is a member of the state House of Representatives.

Also scheduled to retire is Circuit Judge W. E. McIntyre of Brandon, from the Eighth District. State Sen. Dees Stripling of Philadelphia already has announced as a candidate for the post.

Since this is considered an off-year election, the vote will be far under that cast in the 1955 race for governor and other state offices. The fact that many of the incumbents will be unopposed also will add to the off-year apathy and contribute to a small turnout of voters.

New Mississippi Bill Would Alter Vote Registration

JACKSON, Miss., Feb. 5—

Voter registration in Mississippi would be taken out of the hands of circuit clerks and given to county election commissioners and examiners under a measure introduced in the Legislature.

Gov. J. P. Coleman has suggested such a step to prevent "voting onslaughts"—obviously by Negroes—under the civil rights acts.

The House measure was introduced by Reps. David Glass and John Guyton of Attala County. Their resolution bore the notation "by request," which means they acted at the request of someone else.

Mississippi voting laws make no reference to race or color, but applicants are asked to interpret the state constitution to the satisfaction of the circuit clerk, in his capacity as registration clerk. Mississippi has no Negro circuit clerks.

As a result, Negroes do not vote in most of Mississippi.

Circuit clerks' offices are open each weekday but Coleman said the three-man boards he suggested would meet "say twice a month," something like the second and fourth Tuesday.

New Civil Rights Law Is Invoked

Jackson, Miss., March 17—Negro voters here Monday filed suit to invoke the new federal civil rights law passed last year by Congress, and struck directly at a law passed in 1955 by the State Legislature designed primarily to retard Negro voter registration.

Rev. H. D. Darby, an African Methodist Episcopal Church minister of Prentiss, Miss., and other Negroes filed the suit which is believed to be the first filed since the federal civil rights law was passed by Congress.

According to reports, Rev. Darby was among 1200 Negroes purged from registration rolls last year when in Jefferson

Davis county a new registration was called.

Named in the injunction is the State which systematically exploited Negroes in all areas were James Daniels, Circuit clerk of Jeff Davis county, and Atty. Gen. Joe T. Patterson. Daniels, according to the suit, is charged with "barring Rev. Darby and other Negroes from registering under state voter registration laws," which prescribed for the first time that voters must be able to give a reasonable understanding of the duties and obligations of citizenship in writing. The registrar of voters of Mississippi according to the law had "sole discretion to determine the eligibility of voters in the state."

It was pointed out in the suit that according to the provisions of the federal civil rights law the federal district court has jurisdiction of the proceeding with regard to whether or not the plaintiff had exhausted all administrative or other remedies that may be provided by law, which means that Rev. Darby and the other Negro voters do not have to carry their suit through the Mississippi courts of justice.

Gov. J. P. Coleman, who has said he does not feel the Mississippi Negro is ready to vote. Darby told the court he accepted legal and financial aid from the National Assn. for Advancement of Colored People in filing the suit. He challenged constitutionality of a Mississippi law prohibiting payment of legal fees by persons not connected with the suit.

Negro Claims Vote Denial In Mississippi

JACKSON, Miss. — Mississippi election laws which Negroes claim were written to keep them from voting were challenged for the first time in federal court Monday. A state legislator

H. A. Darby, Negro minister of Prentiss, Miss., charged in his bill of complaint that Negroes are prevented from registering "solely on account of race and color pursuant to long established policy, custom and usage of the state."

He specified his was a class suit in behalf of all Mississippi Negroes "similarly situated." He cited provisions of the new

civil rights law under which the court can act without having to wait for the plaintiff to exhaust all administrative remedies.

State Rep. Zealous Polk of Jefferson Davis County took the floor of the Mississippi House of Representatives and called the suit "one of the greatest disasters our state has ever known."

DISFRANCHISE NEGROES

Darby asked the court to determine the constitutionality of the requirement that prospective voters read, write and interpret one section of the state constitution to the satisfaction of the circuit clerk. He charged the requirement is used to disenfranchise Negroes.

Darby also asked the court to determine whether a 1954 amendment requiring prospective voters to demonstrate a reasonable understanding of the duties of citizenship was intended as "a device for restricting the right to vote on account of race and color." During legislative debate on the amendment, proponents said it would serve to restrict Negro voting.

Gov. J. P. Coleman, who has said he does not feel the Mississippi Negro is ready to vote. Darby told the court he accepted legal and financial aid from the National Assn. for Advancement of Colored People in filing the suit. He challenged constitutionality of a Mississippi law prohibiting payment of legal fees by persons not connected with the suit.

Registration Of Negroes In Mississippi To Influence The Redistricting Of State

Matter Is Now Being Studied Although Showdown Is Not Expected Before The
1962 Legislative Session

By KENNETH TOLER

JACKSON, Miss., March 22. — Increased registration of Negroes as qualified voters under protection of the Federal Civil Rights Law may have its first impact in the election of Mississippi's representatives in Congress after the 1960 census.

It will have a strong bearing on the manner in which the state is redistricted when it loses one of the six representatives due to a loss in population.

Although a showdown is not likely before the 1962 session of the Legislature following the decennial headcount, the matter is already being studied by leaders.

Because of the large Negro population in the present Third Congressional District of the Delta counties, it will be difficult to rearrange the areas so as to assure the whites a voting majority in a highly contested factional race.

Already, Negroes have increased their voice in voting circles in some Delta areas, especially in Washington County where they could mount a battle of power under a bloc-voting plan.

No Change Next Year

However, in the North Carolina election of the late Senator Willis Smith over Frank Graham, the former chancellor of the University of North Carolina who was holding an unexpired term by gubernatorial appointment, the bloc-voting was put in reverse. That can be done in Mississippi.

The redistricting issue facing the Legislature, possibly in 1962, will have to take into consideration more than just the usual gerrymandering in the respec-



Mr. Toler

tive districts to protect present representatives. The lawmakers will have to consider the voting strength of the Negroes.

No serious change in the voting situation between the races is expected next year when state officials are elected. It could, however, pose a problem in some of the heavy Negro-populated counties on that level if the Federal authorities speed up their intervention in the matter and aid in a movement now under way to gain registration of 100,000 Negroes within the next few years.

A suit now pending in Federal court in Jackson, inspired by the National Association for the Advancement of Colored People, will likely not be settled in time to make much of a change in the present qualified elector situation by next year. It will be contested point by point and necessarily delayed in reaching the United States Supreme Court for final determination.

A big question that could be settled is whether separate suits will be necessary for individual Negroes who claim they are being discriminated against. The pending litigation is a "class suit" designed to cover all Negroes "similarly situated" as Rev. H. D. Darby of Prentiss in Jefferson Davis County, who claims he has been denied the right to register.

Technical Maneuver

A new bill just passed the House and awaiting Senate action changing the official before whom registration must be se-

cured could also be a delaying factor. Instead of the circuit clerk, who is county registrar, an individual to be appointed by the Chancery Court judge will handle that function as an "inferior court." That changes the situation considerably as well as permits consideration of applicants at specific periods rather than as now when persons may appear daily in an effort to gain registration.

State officials plan to challenge the pending suit as a "class" affair, and will seek to have the court make it apply only to the individual involved. Whether the Supreme Court will agree on that score is somewhat doubtful in view of its previous decisions in cases affecting Negroes in the South.

However, the final decision could be the "pattern" and as such speed disposition of other suits that would follow.

In connection with the anticipated congressional redistricting, Mississippi may wind up with the election of five representatives from the state at large. That would prevent bloc voting in a district to control the election outcome.

Under a state at large system, the Redistricting Act would require that the representatives be residents of particular areas, but elected statewide. That would offset a highly concentrated Negro vote in a particular district.

A statewide election of representatives was threatened in 1932 when the Legislature got tangled up on a new redistricting to make up for the loss of a representative at that time. Like as now, because of a population loss.

"One For All . . ."

In that year, the late Senator-Governor T. G. Bilbo opened a statewide race for one of the then seven posts pending court settlement of a contest on the redistricting plan. The then representatives opened up headquarters in a "one for all and all for one" campaign under direction of former Lt. Gov. J. B. "Billy" Snider, who is now residing at Bay St. Louis on the Gulf Coast.

However, when the court threw out the contest, Mr. Bilbo withdrew and the election went off by districts as usual. In that redistricting, the only change was the merger of the old Eighth District with the Seventh.

One joint debate on the statewide level was held in Jackson

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between Mr. Bilbo and former Representative W. M. Whittington of the Third District before the court ruled on the contest.

Mississippi's last redistricting was somewhat like the previous one, except that the First Congressional district which influenced the 1932 Act was victim in the latest. The old First and old Fourth districts were thrown together to pit the then dean of the delegation, John Rankin of Tupelo, with Representative Thomas Abernethy of the old Fourth. Mr. Abernethy won, despite that his friends believed the new-and-enlarged First District was so arranged as to give Mr. Rankin the edge.

The 1962 election of United States representatives can be expected to be on a statewide basis if the movement for increased Negro registration sponsored by the NAACP and regional council of Negro leadership receives the assistance its leaders expect under the new Civil Rights Law.

In such a case, the question of how the state will be redistricted will not be as heatedly contested as in the past. It will be a matter of how the districts are arranged as to residence of the contenders, rather than trying to preserve their present constituency to give them a re-election advantage. Since their plan would likely require the representatives to come from particular areas so as to give a rounded representation of the interests of the various sections, that will be the major issue in redistricting the 82 counties.

About The Capitol

Two young Northeast Mississippi attorneys have decided to build up their private law practice rather than seek public office.

Fred Bush of Holly Springs is definitely not a candidate for days under the original papers the Chancery Court judgeship in the new 18th District of Benton, Tippah, Marshall, De Soto and Lafayette counties.

Also not to run for the Circuit Court judgeship now held by Judge Raymond Jarvis of Booneville, is W. Pete Mitchell of Tupelo, the former district prosecuting attorney.

Election of judges will be held in August.

New Federal Judge Claude Clayton of the North Mississippi District is expected soon to announce his appointments for the clerk of the court and other attaches. Incidentally, his appointment was given district-wide commendation

MISS. VOTE SUIT DEADLINE IS SET

State to File Answer by
May 15

GULFPORT, Miss. (AP) — U.S. district court Judge Sidney Mize Saturday gave Mississippi Attorney General Joe T. Patterson until May 15 to file an answer to a suit challenging the state's voter registration laws.

Patterson had asked the court to give him until June 1. Mize said any motions other than the state's answer must be filed by May 1.

The suit, the first challenge under the new civil rights law, was filed by Rev. H. D. Darby, Negro, of Prentiss. Darby charged that voter registration laws are interpreted and administered so as to disenfranchise Negroes.

Mize said he expects a hearing will be held about the middle of June on a motion for a preliminary injunction to stop the state from enforcing its statutes on voting.

He said he doesn't expect the case to be heard on its merits until next fall.

Darby was not present at the hearing. He was represented by R. J. Brown, Negro lawyer from Vicksburg. Besides Patterson, the state was represented by Asst. Atty. Gens. Dugas Shands and John Price.

Patterson, who had only 20 days under the original papers to reply, asked for a time extension on grounds the matter was one requiring "serious thought and study" since it is the first case filed in Mississippi under the civil rights law. Patterson argued that his office was always extremely busy when the state Legislature is in session and commented:

"Though plaintiffs seem to want to take light of this matter, I think it is more serious."

"The facts are not as intricate as defense counsel makes out," Brown rejoined. "There is no intention on part of plain-

tiffs' counsel to make light of the situation as far as the law is involved."

"This is not a private case but involves the plaintiff and others similarly situated, including about one-half of the state's population," Brown stated.

This reference was to Mississippi's Negro population which approximates 50 per cent of the total population.

Bond In Vote Suit

JACKSON, Miss. (AP) — Defendants in the first federal court challenge against Mississippi voter registration laws asked Thursday that a Negro minister post bond in advance for costs of the

The request was filed in federal court by Mississippi Attorney General Joe T. Patterson and Jefferson Davis County Circuit Clerk James Daniel.

The Rev. H. D. Darby, a Negro minister of Prentiss, Miss., seeks to enjoin the two from enforcement of the voter registration laws. His suit, filed in Mississippi "under the civil rights law, charges the laws are interpreted and administered with the purpose of disenfranchising Negroes."

White Supremacy Balloting Constitution, p. 5 & 6 Challenged in Mississippi

Bills to Strengthen Registration Laws Offered After Suit Is Filed

By KENNETH TOLER

Mississippi Bureau, The Memphis Commercial Appeal
Special to The Atlanta Journal-Constitution

JACKSON, Miss., March 22—Mississippi has moved to speed-up and change its approaches to preservation of racial segregation and white supremacy at the ballot box.

It follows the filing of a federal court suit attacking the state's voter-registration statutes as discriminating against Negroes.

Proposals to strengthen the voter-registration statutes have been offered at the current biennial session of the Legislature.

House approval has been given a bill to eliminate the circuit clerks in the 82 counties as county registrars because, as Gov. J. P. Coleman said, they are not lawyers and therefore "are not prepared to cope on an equal footing with the voting onslaughts we are just before experiencing under the 1957 federal civil rights act."

Set Up New Court

The bills establish an "inferior court"—in each of the counties to be presided over by a registrar to be appointed by the chancery court judge. It is designed to meet a challenge of the wide discretionary powers given circuit clerks in denying registration to applicants, which, the governor said, "can become the nail which lost the shoe, which lost the horse, and in turn lost the man."

The appointed registrar would hold court at definite periods, five days a month, for consideration of applications for registration. As it is now, a person may present himself daily in an effort to gain registration as a qualified elector.

Giving added weight to the "inferior court" is a provision

requiring the county sheriff to sit in at all sessions to aid the registrar and carry out his orders.

Gov. Coleman had recommended a three-member county registration board, but the House decided on the chancellor-appointed registrar. Senate action remains on the bill.

On the Senate side, a bill has been offered authorizing the attorney general to render "such services as he may deem necessary" in assisting the county registrars. He also would represent them in lawsuits.

As drawn, the proposal also authorizes the attorney general

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to assist municipal officials in anticipation of suits attacking segregation in transportation facilities.

Another bill authorizes the secretary of state to call on the attorney general for an investigation of organizations whose directors have been cited as subversive. It is aimed at officials of the National Assn. for the Advancement of Colored People.

New School Bill

To bolster its school segregation laws, proposals to remove any mention of "race" in the statutes have been offered. A new public school bill for increased teacher salaries for each race has been changed to eliminate all racial references. It is in conference for adjustment of House and Senate

differences—the Senate version calls for 104 million dollars, or 23 millions more than recommended by the budget commission, and the House bill calls for 100 million dollars.

Other proposals, in anticipation of a challenge of public school segregation, would authorize local school trustees to close any school for the promotion or preservation of the public peace, order and tranquility. It would implement a voter-ratified "standby" constitutional amendment for abolition of public education on threat of integration.

Again on that front, the attorney general is directed in another bill to assist school officials at all levels, including the senior colleges, if they are sued in litigation which challenges statutes "dealing with the establishment or maintenance of such schools and the determination of who shall attend such schools."

Earlier plans to seek adoption of a series of constitutional amendments to tighten the segregation laws have been sidetracked pending submission of an amendment to make it easier to amend the 1890 charter.

If the liberalization proposal is ratified by the voters, a special session of the Legislature is planned in September to draft new school amendments and submit them as a "package" rather than as separate changes as now required. The proposed amendment would permit the "package" submission.

Overall Pattern

Officials are fearful that submission of the proposals as separate items might result in some being defeated and others which are part of an over-all pattern being adopted and of no value without the others.

Another change would permit adoption on one roll call of amendments by the Legislature for submission to the voters rather than on three separate roll calls on three separate days

in each branch of the Legislature.

Gov. Coleman, who proposed a constitutional convention to a special session last November, has agreed to go along on the proposed amendments. His convention proposal gained Senate passage, but was defeated in the House by those who contend the amendment route is speedier and cheaper.

However, Gov. Coleman told the lawmakers during the week he has not abandoned his fight for a convention, but has merely set it aside for the time. He reiterated what he told the November special session, that the state will be handicapped in fighting attacks on its voter-registration laws without a convention for a complete overhaul of the 68-year-old provisions in the constitution.

The governor also contends that a convention is needed to strengthen the state's hold on segregation which he said cannot be as successful through amendments.

Negroes Resist Case Delay Requested By Mississippi

VICKSBURG, Miss. (AP)—Lawyers for the first Negro to test Mississippi's voter registration laws in federal court will resist the state's request for a delay until June 1 in hearing the case.

Federal Judge Sidney Mize, is the lawmakers during the week to hear the motion, filed by Atty. Gen. Joe Patterson and Jefferson Davis County circuit clerk James Daniel, at 10 a.m. at Gulfport.

Jess Brown of Vicksburg, one of the attorneys for the Rev. H. D. Darby of Prentiss, said he would appear at the hearing to oppose Patterson's request for more time.

Brown said, "we're asking that the court set an early date for the hearing, rather than delay the case." Darby challenges constitutionality of Mississippi's voter registration laws on grounds they are interpreted and administered so as to disenfranchise Negroes.

His attorneys include Thurgood Marshall, chief counsel for the National Assn. for the Advancement of Colored People. The bill of complaint sets out that the NAACP is helping finance the court test.

Patterson asked the delay because of several pending court cases and because of demands on his office occasioned by the fact the Legislature is in session. The Legislature is expected to adjourn later this month.

Earlier this week, three Mississippi federal judges were appointed to hear the case.

They are Judge Mize of the Southern District, Judge Claude Clayton of the Northern District and Judge Ben Cameron of Meridian, a member of the U. S. Fifth Circuit Court of Appeals at New Orleans.

34e 1958

Non-Registered Ph.D.'s

Editor, The Advertiser:

The Negro Women's Political Council
wishes to acquaint you with some of its
activities that may have a bearing on
your editorial of Dec. 6 on "Voter Quali-
fication and Memorizing Form" in which
you stated: "Presumably the clinics will
concentrate more on the superficial
procedure of registration than on any
lofty teaching of political science." The
Women's Political Council conducts
weekly adult education classes in writing,
reading and civics.

10-11-57
Its purpose is to help anyone who has
less than a sixth grade education to
make his writing more legible, to im-
prove the level of his reading and un-
derstanding and to learn as much about
the operation of his city and state gov-
ernment as possible. We include such
information in the lessons as: the popu-
lation of Montgomery, what a city is,
what a county is and how each operates.
In addition, we teach courtesy, good
manners and consideration for others.

That such training will assist such
persons in qualifying as voters may be
an outcome but it is not the point which
is being stressed in conducting these
classes.

That there may be clinics in which
the registration forms are memorized
may be due to the large number of Ne-
groes (according to records published
by several Negro groups) with college
degrees and Ph.D's who have not been
certified upon application. Many of
these persons, it is further held, have
passed some of the most difficult edu-
cation boards in the country to qualify
as teachers. Thus, it might seem im-
plied that memory rather than intelli-
gence is the point of the questions.

The Women's Political Council is mak-
ing a sincere effort to assist all who
want to improve themselves though
technically it may not come under the
heading of the "lofty teaching of politi-
cal science." We would appreciate this
information being published.

MRS. M. F. BURKS,

Research Secretary, The Women's Politi-
cal Council, Montgomery.

NEGRO WOMEN'S POLITICAL COUNCIL

Group Organizes To Work With Housing Improvement Program

Formation of a new association in dollars and cents. He pointed out that 45 per cent of every tax dollar is used for police, fire and other municipal services in blighted areas. Elimination of blight is followed by an even distribution of municipal services throughout the city, Col. Hubbard remarked. Next scheduled event for the committee is a bus tour of the city.

Officers elected to serve the committee are Rev. Joseph Henry, president; Rev. J. L. Spears, vice president; Rev. H. M. Willis, secretary, and Rev. Samuel A. Nixon, chaplain.

The committee approved an 11-point program with main

emphasis on housing improve-

ment. The program also in-

cludes neighborhood beautifica-

tion, drainage, sewage and

streets, traffic and safety, san-

itation and health, fire protec-

tion, law enforcement, civic

participation, park development

and publicity and advertising.

Rev. Thompson, who organ-

ized the committee, will serve

as committee advisor. He said

the group has 100 members and

the program, according to Rev.

Thompson, is to make citizens

more conscious of their civic

duties not only in their own

neighborhood, but also in the

community at large.

Guest speaker for the first

meeting was Col. Shelton P.

Hubbard, chief, city division of

housing improvement. Col.

Hubbard congratulated the

members for their expression

of public interest and assured

them that his division would do

all it could to help in the fight

against neighborhood blight.

Col. Hubbard said elimination

of blight is not only a good

thing from the standpoint of

the city, but also "pays off



NEWLY ELECTED OFFICERS of the New Orleans Educational and Rehabilitation Committee are, seated, left to right, Rev. H. M. Willis, secretary; Rev. Joseph Henry, president, and

Rev. Norwood Thompson, committee advisor. Standing: Rev. Samuel A. Nixon, chaplain; Rev. J. L. Spears, vice president, and Joseph Falls, secretary to Rev. Thompson.

N. C. Democrats Vote Changes

RALEIGH, March 1 (AP) — The State Democratic Executive Committee today approved a number of changes in the party's plan of organization and heard Gov. Hodges predict an overwhelming Democratic victory in this fall's general election "if Mr. Eisenhower and his associates continue acting the way they have."

The Democrats voted to hold their state convention on May 15, with county conventions to be held on May 10 and precinct meetings on May 3.

Gov. Hodges told the executive committee that the Democratic Party "has a marvelous opportunity this year." He added that "if Mr. Eisenhower and his associates continue acting the way they have, or rather not acting, we will see an embarrassingly large number" of Democratic representatives and senators chosen in the November elections.

He added that if things continue the way they have, "we will have the job of tackling Mr. Nixon" in the presidential election in 1960, and "I think we can handle him."

The governor praised the changes made in the Democratic Party plan of organization and said the changes would serve to bring the party "back to the people."

In order to "revitalize our party and make fresher our approach," the governor proposed the creation of a special committee which would make plans for

the state convention and for the handling of the fall campaign. The executive committee approved the creation of this committee which would include two members of the Young Democrats, two members of the senior party plus the state Democratic chairman.

Williamsburg Vote Registry Charge Denied

By Staff Correspondent

KINGSTREE — A report to charges of "obvious restrictions" on registration of Negro voters was returned today by the Williamsburg County Registration Board.

The Negro who had been singled out as a prime example of these "restrictions" failed the literacy test, the board reported, when he failed to satisfactorily read or write a section of the U. S. Constitution.

F. Furman Demery was turned down, the board said, when he made 10 errors in writing Section 25 of the Constitution. He did even worse, the board said, in reading the same section.

Demery could not have qualified, the board pointed out, as a property holder because he is delinquent on personal property taxes for the years 1956 and 1957. A check of county tax collector's book showed Demery was levied with \$350 in personal property and \$1 as poll tax fee for the two years.

Charges against Williamsburg County had been singled out Sunday by Mrs. Andrew W. Simkins of Columbia, a vice president of the Southern Conference Educational Fund which sponsored an interracial meeting in Washington.

The Associated Press reported her as saying Williamsburg was South Carolina's only county in which she had found "obvious restrictions" against Negro registration.

No total of Negro registration is available to date, but indications are more Negroes will be registered this year in Williamsburg than at any other time.

She said Demery (spelled Dimery in the Associated Press re-

port) was a businessman and a "product of Howard University" in Washington, yet had been turned down on a literacy test.

Registration board records show Demery applied Nov. 6, could not qualify as a taxpayer and was asked to read a section of the Constitution.

"He was a poor reader," said a board clerk. "We asked him to copy that same section. He misspelled words, omitted some and altogether made 10 different mistakes. He also failed to fill in a number of blanks on the application. We turned him down on the basis of those errors and omissions."

Demery printed his name in neat manner at the top of the blank and signed his name in a neat, concise manner at the bottom.

Opposition charges lawyer circulated anti-racial booklet

RALEIGH, N.C. — (ANP) One of four candidates campaigning for the Wake County senate seat, last week was accused of circulating an anti-racial pamphlet designed to show that his opponent benefited from colored votes in two local precincts.

Accused of circulating the pamphlet, which listed a "box score" on Raleigh's two large colored precincts, was Tom Ellis, a local lawyer.

The campaign manager of John R. Jordan, who carried one of the two colored precincts charged Ellis with circulating "the most scandalous document" in recent Wake County political history.

J. Wilbur Bunn, the campaign manager, also questioned Ellis' claim to being "A Southern Democrat," saying he was Northernbred and has always opposed Democratic policies, 1 local and national.

Literacy Ruling Appealed To U. S. Supreme Court

The State Supreme Court's recent decision upholding North Carolina's literacy test for voters was appealed Wednesday to the United States Supreme Court.

The appeal was filed by Samuel S. Mitchell of Raleigh, one of the attorneys representing Mrs. Louise Lassiter of Seaboard, a Northampton County Negro who was not allowed to register because she refused to take the test.

The appeal contends the test which requires people to be able to read and write sections of the State Constitution "is arbitrary, capricious, subjective and without legal administrative standards."

Thus it violates provisions of the 14th, 15th and 17th Amendments to the U. S. Constitution, the appeal contends.

The State Supreme Court's decision, handed down April 9, upheld the test on grounds it applies alike "to all persons who present themselves for registration to vote" and "there is no discrimination in favor of or against any by reason of race, creed or color."

In effect, the appeal contends Mrs. Lassiter has the constitutional right to vote whether she is literate or illiterate. Specifically, it raises these questions:

Is the test valid "when measured by the standards of the due process clause of the 14th Amendment . . ." and the Amendment's privileges and immunities clause?

Is it constitutional "when measured by the standards of the equal protection clause of the 14th Amendment, insofar as it purports to disfranchise the class of citizens who are otherwise entitled to the franchise solely because of their lack of ability to read and write 'any section' of the Constitution of North Carolina, as against appellant's contentions that the statute is a discriminatory and arbitrary attempt to bestow the

privilege of the franchise only upon the class of citizens who can read and write 'any section' of the State Constitution?"

Does it violate the 17th Amendment in that it "denies to appellant the opportunity to participate in federal elections solely because of the inability to read 'any section' of the Constitution of North Carolina?"

The appeal also contends that the statute providing the test is based on a grandfather clause in North Carolina election laws which previously had been held invalid because it "provided voting privileges for certain white citizens without exposure or subjection to the so-called literacy test to which appellant, as a Negro, must be exposed and subjected."

Supreme Court To Examine N. C. Voter Literacy Test

WASHINGTON — A challenge to North Carolina's literacy test for voters has been accepted for argument before the Supreme Court. The court agreed Tuesday to examine a Negro woman's suit, which is also on the docket of a special three-judge federal court in Raleigh.

The suit does not charge discrimination on account of race.

High Court To Examine Voters' Literacy Test

WASHINGTON (UPI)—A challenge to North Carolina's literacy test for voters has been accepted for argument before the Supreme Court.

The court agreed Tuesday to examine a Negro woman's suit, which is also on the docket of a special three-judge federal court in Raleigh.

The suit does not charge discrimination on account of race.

But Mrs. Louise Lassiter of Northampton County contends that several sections of the federal Constitution are violated by

the blanket requirement that registrants must be able to read and write any section of the state Constitution.

In an unusual mid-week series of actions, the court accepted for review cases which may clarify its controversial "Jencks ruling" of 1957. One of these was the appeal of Junius Irving Scales, formerly of Greensboro, N.C., and now of New York, a Communist convicted for the second time under the Smith Act.

The Jencks decision held that if the government calls an informer to testify in a criminal case, pertinent reports he made to the FBI must be produced on demand as a check on the truth of his trial testimony.

A new federal law on this subject passed as an aftermath of the decision was at stake in the Scales case. The law provides that the presiding judge shall decide which reports the defense shall get.

The Scales appeal also challenges the constitutionality of the Smith Act's membership clause, which makes it a crime to be a member of an organization to the violent overthrow of the government.

Carolínians Rally To Aid Of Registration Appeal, Attorney

WELDON, N. C. — Citizens from all over Northwestern North Carolina have formed a committee to carry the case of Mrs. Louise Lassiter through the Federal Courts and to uphold the right of one of her Attorneys to represent her.

James R. Walker, Jr., 34-year-old civil rights lawyer here, has been jailed twice and fined three times since he entered the Lassiter case over two years ago. Mrs. Lassiter seeks the right to register and vote without having to take the North Carolina literacy test, which she says is in violation of the U. S. Constitution.

The Walker-Lassiter Defense Fund was organized at meetings in Weldon, N. C., attended by leaders from Halifax, Northampton, Bertie, Gates, Warren, Edgecomb and Hertford Counties. The Negro population of this area runs as high as 68 percent.

Mrs. Lassiter who has three children, first tried to register in Seaboard Precinct of Northampton County in May, 1956. The registrar, Mrs. Helen H. Taylor, refused to register Mrs. Lassiter and at least 25 other Negroes because she said they failed to pass the literacy test.

RESTRAINT SOUGHT

Mrs. Lassiter asked the U. S. District Court to stop election officials from requiring the literacy test. She charged that it is used in a discriminatory manner against Negroes to deprive them of the right to vote. Mrs. Lassiter completed one year of high school and reads and writes very well.

Before her case could be heard, the North Carolina General Assembly amended the registration law. It also set up a system of appeals from adverse rulings of registrars. A three-judge Federal Court held the original law invalid but told Mrs. Lassiter to exhaust all appeal remedies in the state courts before seeking a ruling on the amended law.

She tried to register again in June 1957, but was turned down when she flatly refused to take the literacy test. Mrs. Lassiter then carried her appeal through the North Carolina Supreme Court which upheld the registrar. Walker and two Attorneys in Raleigh, Samuel Mitchell and Herman Tylor, have appealed this ruling to the U. S. Supreme Court.

ATTORNEY JAILED, FINED

Walker has been jailed twice and fined three times since he entered the case. The charges stem from allegations by the registrar, Mrs. Taylor, that he shook his finger at her during a dispute over her refusal to register Negroes. On the charge of assaulting a female, Mrs. Taylor, he was fined \$500 and still owes \$300 of it. On Oct. 8, the North Carolina Supreme Court quashed an indictment under which Walker was fined \$50 on a charge of disturbing a registrar in the performance of her duties.

Walker says public officials "don't intend to have any Negro lawyers practice in this section. They threw the book at me to try to cripple me and to drive me out. They used the criminal law to interfere with my practice of the law and as a psychological weapon to score as a psychological weapon to scare. He still has an appeal pending from the \$100 fine on a trespass charge.

King to kick-off

mass vote crusade

Big Drive

Kickoff Is

April 9th

DURHAM, N.C.—The Rev. Martin L. King Jr. will be one of the principal speakers here on April 9 when a drive to register 250,000 new colored voters gets underway in North Carolina.

The campaign is part of a nationwide drive, spearheaded by Southern leaders, to gain the vote for thousands of colored persons.

According to the Rev. Douglas E. Moore, co-chairman of the local drive, the Durham meeting will bring together several hundred ministers in the state to "construct and prepare themselves for a new dimension in Christian responsibility."

Mr. Moore said the meeting will be interdenominational in scope and has been endorsed by all major colored religious sects in North Carolina. Local churches will serve as training sites for the program, Mr. Moore stated.

A team of specialists, headed by Clarence Mitchell, Washington Bureau NAACP director, will instruct ministers in techniques for organizing their congregations into voting units.

Mr. Mitchell's team will include the Rev. John Tilley, pastor of Metropolitan Baptist Church, Baltimore; John Brooks, NAACP Southern director of registration and voting; Charles McLean, North Carolina Registration and Vote director and Mrs. Ella Baker, acting executive secretary, Southern Christian Leadership Conference.

Referred to as "a summit conference for Christians," the interdenominational parley is the first conference scheduled in the voting drive.

DURHAM — Durham, North Carolina, has been chosen as the site for the first conference on registration and voting, a drive being spearheaded among Southern Negroes by religious leaders and officials of the NAACP. The meeting has been set for April 9.

Douglas E. Moore, local drive chairman, the Durham meeting will bring together several hundred ministers in North Carolina for the purpose of "consecrating and preparing themselves for a new dimension in Christian responsibility."

A goal of 250,000 new Negro voters in North Carolina has been set.

The Reverend Dr. Martin Luther King, president of the sponsoring Southern Christian Leadership Conference, has been listed as one of the principal speakers. Dr. King, who won fame in his leadership of the Montgomery, Alabama, bus boycott, said at his home yesterday that he hopes the meeting in Durham will serve as a model for similar "crusades for citizenship" to be conducted among Negroes throughout the South.

Interdenominational in scope, the Durham crusade has been endorsed by all of the major religious denominations among Negroes in North Carolina. Several planning sessions in Durham, involving bishops, moderators, and other religious leaders, preceded today's announcement. Local churches will serve as training sites.

Announcements have gone out to some 2,000 ministers in the State urging them to attend the April 9 meeting which

will feature training workshops on registering and voting. A team of specialists, headed by Clarence Mitchell, director of the Washington Branch of the NAACP, will instruct ministers in techniques for organizing their congregations into voting units.

Mitchell's team will include John Tilley, pastor of the Metropolitan Baptist Church, Baltimore, Md.; John Brooks, Richmond, Va., Southern Director of Registration and Voting, NAACP; Charles McLean, State Director of Registration and Voting, NAACP; and Ella Baker, acting executive secretary, Southern Christian Leadership Conference, Atlanta, Georgia.

Group Urges More Negro Registration

WILSON — The Social Action Committee of the Omega Psi Phi Fraternity, in its annual report at the close of the 1958 session of the 6th District, comprising North and South Carolina, appealed to its members to "register the Negro vote."

The report told the members of the Greek fraternity that first mass citizenship carried responsibilities along with privileges.

The meeting began Friday and closed Sunday afternoon. Dr. Gregory Newton, Durham, represented the national body.

No review for attorney

RALEIGH, N.C. — The U.S. Supreme Court has refused to review the case of James R. Walker, attorney, convicted of assault by shaking his finger in the face of a precinct registrar in Northampton County. Walker was fined \$500 after his conviction in the lower courts, appealed to the State Supreme Court, which upheld his conviction on the grounds that the appeal was not perfected within the prescribed time.

The U.S. Court's refusal to review the case means the conviction will stand.

WALKER HAD gone to the precinct with two clients. The

registrar, Mrs. Helen H. Taylor, said he shook his finger in her face and demanded that they be registered as voters. Literacy tests were being given at the time.

The state contended his action was a violation of the criminal law against assault and had nothing to do with the election laws.

Walker contended that the literacy tests created a "subtle and insidious interplay" which affected his trial and conviction.

COURT DECLARES INDICTMENT BAD

Supreme Court Opinion Clears Negro In Northampton Election Case

The State Supreme Court has overturned the conviction of a Northampton County Negro attorney charged with an election law violation as the result of a "finger-waving" incident at the Seaboard precinct two years ago.

The court said yesterday the bill of indictment against Attorney James R. Walker Jr. of Wilson was faulty. It ordered the indictment quashed and the judgment vacated, clearing the defendant.

The State had expressed doubt as to the validity of the indictment when the court heard arguments in the case last month.

Walker was given a four-month jail term and a fine of \$50 and costs in Northampton Superior Court before Judge Chester Morris last March after he was convicted of disturbing the Seaboard registrar, Mrs. Helen H. Taylor.

Second Trial.

It was his second trial to grow out of the incident in which he went to the precinct to register two Negro clients. In the first, Walker was convicted of assaulting Mrs. Taylor by waving his finger in her face and by boisterous conduct and was fined \$400. He appealed this all the way to the U.S. Supreme Court and lost.

Chief Justice J. Wallace Winborne, who wrote the opinion handed down yesterday morning, said the bill of indictment "fails to particularize the crime charged

and is not sufficiently explicit to protect the accused against subsequent prosecution for the same offense . . ."

To protect a defendant against double jeopardy and enable him to prepare his defense, Chief Justice Winborne wrote, authorities "are in unison that an indictment . . . to be good . . . must allege lucidly and accurately all the essential elements of the offense. . ."

Noting that generally an indictment is sufficient if the offense is charged in the words of the statute, the chief justice wrote:

"The rule is inapplicable where as here the words do not in themselves inform the accused of the specific offense of which he is accused. . ."

In such event, the opinion said, the "statutory words must be supplemented by other allegations" so as to leave no doubt in the mind of the defendant.

A list of the decisions handed down yesterday follows:

Davis v. Griffin, Pitt, Affirmed.

Roebuck v. City of New Bern, Craven, Affirmed.

State v. Swaringen, Jones, New Trial.

State v. Walker, Northampton, Bill Quashed, Judgment Vacated.

McDaniel v. Quakenbush, Cleveland, Affirmed.

Tew v. Runnels, Gaston, Reversed.

Cleeland v. Cleeland, Pender, Affirmed.

Smith v. Lumber Co., Gaston, No Error.

Vann Co. v. Barefoot, Sampson, New Trial.

State v. Clendon, Mecklenburg, Remanded.

Strickland v. Williams, Wilson, Affirmed.

Tatum v. Tippet, Mecklenburg, No Error.

Hajoca Corp. v. Brooks, Mecklenburg, New Trial.

Results Of Ohio Voting Shows Several Upsets

CLEVELAND. — (NNPA) — C. L. [unclear], an attorney, pulled a start-up upset Tuesday and won the nomination as Republican candidate for county commissioner. [unclear] edged Homer W. Giles, 12,073, in a race that was decided until the final count.

Mrs. Martha Dixon, wife of an attorney, was nominated on the Republican ticket for the State House of Representatives.

On the other hand, none of the colored candidates on the Democratic ticket won nomination. William T. McKnight, polling 16,434 votes, topped the colored candidates. He finished ninth in a race for State Senate. [unclear] Michael V. DiSalle, former price stabilizer under President Truman, won the Democratic nomination for governor. Mayor Anthony Celebrezze, who was heavy colored support, finished second in the seven-man gubernatorial race.

The Republicans renominated Gov. C. William O'Neill, but Charles P. Taft, brother of the late Senator Robert A. Taft, who did not campaign, received a surprising heavy vote.

In Cincinnati, two colored men were nominated. A. Bruce McClure, incumbent State Representative, won the Republican nomination, while Democrats nominated James Chaney Alexander.

An Open Letter to The Negro Voters of Oklahoma

By CLINTON NEWTON

Fellow Citizens:

On July 22nd, we are to go to the polls to choose between two run-off candidates for the office of Governor of the State of Oklahoma: one Mr. W. P. Bill Atkinson, Midwest City millionaire, and one Mr. J. Howard Edmondson, youthful, vigorous, Tulsa county attorney. Let's examine closely what this race means to the average Negro, the oft discussed "man-on-the-street."

Mr. Atkinson is a much lauded builder. One of his campaign slogans grandly asks our support to help "Build Oklahoma With Atkinson." That Mr. Atkinson is a competent builder we cannot deny. He has developed a multi-million dollar community at Midwest City. But in this well-equipped, plush little city, Mr. A. has completely ignored the existence of the American Negro. Bear in mind that Midwest City is not a suburban addition, but a separate, independent township with its own post office, mayor, police department, etc. But no Negroes live there. No Negroes can live there. Your and my money can't buy land anywhere in the town.

Mr. Atkinson has succeeded in building a town excluding Negroes. Now he asks your help in building a state. Where will we fit in it? Will Mr. A. be able to find a place for Negroes in the state he proposes to build?

Mr. Atkinson admits to having very little knowledge (or a colossal lack of knowledge) of Negroes or Negro affairs. Where has he been for the past ten or twenty years? Is he saying that he took no interest in the Supreme Court decision on Segregation? In the Ada Lois Sipuel case right here at home? In the wide publicity that the Little Rock incidents brought about everywhere — Europe, Asia, Russia — are cognate to the American Negro, but not Mr. A. He has kept himself closely closeted in a lily-white world, emerging only to "bargain" with a handful of self-appointed Negro "leaders" who are concerned only with their personal gain and advancement.

These "leaders" were to have delivered the Eastside vote to Mr. A. We wonder just who the Eastside "leaders" were leading since Mr. A. fared very badly on the Eastside in the July 1st Primary. Apparently somebody paid for something he very obviously did not get.

The democratic way of life is run on the basis of majority rule. We, as Negroes, are a minority group. If we are to have any effect on the running of this country, and most certainly of this state, we must unite, band together to make our vote felt. And we most certainly cannot sacrifice the whole of the Negro vote for the sake of a few Negroes in Oklahoma City so that they may continue to ride in expensive cars, live in plush homes, and keep big bank balances. If the man who goes to work every day is to benefit at all from this gubernatorial election, we'd all better think deeply, seriously, clearly. If we all do this I think our July 22nd choice of a gubernatorial nominee will be all too obvious.

Mr. Edmondson is a (politically speaking) young man who is not a millionaire—a factor that may be against him in the coming run-off. He is the county attorney for Tulsa county. The record quite clearly shows that he has given to the Negro employment opportunity above and beyond the scope of porter or janitor. He has given to qualified Negroes jobs commensurate with their

abilities even in the face of adverse criticism from members of his own race. This is in indication, at least, that he is aware of you and me and Negro America.

FOUR TO ONE MAJORITY SWEEPS YOUNG COUNTY ATTY. TO GOVERNOR'S SEAT

Many Old Guard Professional Politicians To Feel Their Prestige and Influence Slipping

FEW NEGROES ARE ACTIVE CAMPAIGN WORKERS

J. Howard Edmondson overran the opposing candidates, Phil Ferguson and D. A. Bryce, for the governor's seat with a landslide victory this week. Most counties in the state cast their ballots in large majority in favor of the young attorney from Tulsa. After a victory rally at the Portland Club, Tuesday night, Edmondson went into a series of conferences in preparation for his January inauguration.

Edmondson came into the limelight in the governor's race during the first primary when he took everybody by surprise and finished ahead of both W. P. Atkinson and George Miskovsky. He beat Atkinson in the Democratic runoff by a large majority. Tuesday election results showed his popular support was still growing. Edmondson won his battle with the promise of changes in the old guard politicians and a new fresh, honest government for Oklahoma. The large majority of his workers were volunteer workers who picked up their own expense tab when campaigning.

Professional politicians and machine politicians were credited with backing his major opponents. The upset in this year's governor's race is expected to dislodge the influence and prestige of many of the state's "Old Guard" politicians both white and Negro. The Governor-elect waged a large part of his campaign on the promise to clean house if he were elected.

Although the Negro voters in general voted for Edmondson by a large majority, there were a very few volunteer workers active in the campaign. Many of them contributed their time, efforts and money to help in the effort. There were about a dozen Negroes seen at the victory rally Tuesday night at the Portland Club. Among them were Emory Jennings and Arthur Shotts of Muskogee, Rev. C. C. Rhone and Rev. Waters of Oklahoma City. Other Oklahoma City guests were: Wayne Chandler, H. V. Curtis, Ira D. Hall, L. E. Richardson, John Dungee, Marie Hancock-Wilson, Mr. Proctor "Candy Man" and from El Reno, Josh White.

Heading the list of secondary officers who swept in Tuesday was George Nigh, young McAlester teacher and legislator, who rang up 383,905 votes for lieutenant governor. Left far behind in that race were Republican George Sheritt of Tishomingo with 99,726 and Independent Paul Undergraff of Norman with 21,850 on basis of incomplete, unofficial returns.

Belcher Holds Seat

The six congressional races were highlighted by a tight fight between Rep. Page Belcher, Enid, and Democrat Herbert William Wright, Jr., Tulsa, with Belcher leading by 3,958 votes with only one of 605 precincts out.

Belcher came close to being singed by the Edmondson prairie fire as Democratic votes in the governor's race spilled over into

the first district congressional fight.

Belcher's drive to return as the only Oklahoman Republican in congress see-sawed back and forth throughout the night. With dawn, however, and 604 of 605 precincts checked, Belcher had a total of 74,909 to 70,951 for Wright.

In state office races, William A. Burkhart and John M. Rogers were successful new faces in the capitol album. Here are the almost complete, unofficial results, the Democrat named first:

Treasurer—Burkhart, Oklahoma City, 333,291; Percy Butler, Tulsa, 111,993.

Examiner and Inspector—Rogers, Oklahoma City, 382,019; Paul Ogle, Oklahoma City, 111,963.

Attorney General—Mac Q. Williamson, Palus Valley, 334,926; Herbert K. Hyde, Oklahoma City, 128,913.

Auditor—Andy Anderson, Oklahoma City, 335,194; William Burton, The Village, 117,433.

Secretary of State—John Conner, Muskogee, 340,579; William H. Robbins, Oklahoma City, 114,459.

Superintendent of Public Instruction—Dr. Oliver Hodge, 338,522; Clyde Smallwood, Norman, 114,356.

Commissioner of Charities and Corrections—Buck Cook, Durant, 332,884; Mrs. Esther Doepel Holt, Ponca City, 123,992.

In other congressional district races, five Democratic congressmen won new 2-year terms in Washington, D.C. Included are Ed Edmondson, older brother of the incoming governor. The races on basis of incomplete, unofficial returns:

Second District—Edmondson, 71,937; Milo Ritter, Stilwell, 18,889.

Third District—Carl Albert, McAlester, 42,171; Chapin Wallace, McAlester, 4,099.

Fourth District—Tom Steed, Shawnee, 43,448; Rolla Calkin, 15,198.

Fifth District—John Jarman, Oklahoma City, 78,620; Hobart Hobbs, Oklahoma City, 16,835.

Sixth District—Toby Morris, Lawton, 54,875; Fred Coogan, Sayre, 27,516.

Registration

Black Dispatch
While many of those who have the interest of Negroes and minority groups at heart are at present looking with a great deal of anticipation toward the state of Georgia and several of the other southern states, expecting increased enrollment of Negro voters, Negroes of Oklahoma should remember it is just as important that Negroes continue to qualify for voting in far-away states like Georgia and Alabama. Find out what is going on in Georgia, an effort is being made by the NAACP and other agencies to register and qualify 300,000 black men and women for ballot privileges. An open effort will be made by whites to discourage and prevent entry of that many Negroes to the polling places of that state. For the success of this effort a great deal is going to depend upon the type of unity and organization Negro leadership can effect down in the Peach state.

Oklahomans who know history should recall that no longer than thirty years ago the same situation existed in Oklahoma. This writer recalls an election day when he was denied the right to vote right here in Oklahoma City. We recall a time when we drove a hayrack, loaded with Negro men and women, half the night trying to catch up with a registrar. When we finally did corner him, that "honest" individual resigned his office right before our eyes. We did not get to register that night.

All of the above experience should convince the younger generation that Oklahoma, with its somewhere near 45,000 Negro voters, is not too far away from the days of disfranchisement as thoughtless individuals might assume who usually are too busy making money to qualify for voting.

Less than ten days ago officers of the Oklahoma Conference of Branches, NAA CP met in Oklahoma City and placed high upon its 1958 agenda registration of voters. The NAACP is headed by Dr. H. W. Williamston, of Idabel. In this attempt to increase the voting strength of Negroes of the state, he will be assisted

ed by the following regional directors: Jimmy Stewart, Oklahoma City; J. J. Simmons, Muskogee; T. P. Scott, Bartlesville; Dr. J. W. Montgomery, Poteau.

In addition to Dr. Williamston, any of the above named gentlemen will come to the town in their region and help you to develop a program for registration. You should not wait to find out what is going on in far-away states like Georgia and Alabama. Find out what is going on right at home, and right in your city and county.

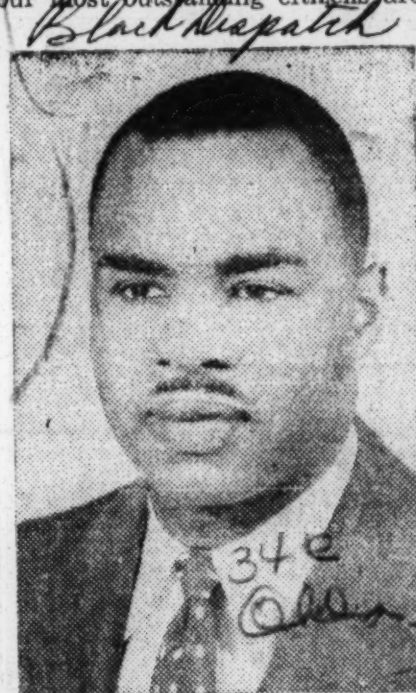
Some few weeks ago, Indians, about whom Negroes are sometimes inclined to laugh, taught the American Negro how to control local government in a way that will not soon be forgotten. The Ku Klux Klan down in Maxton, North Carolina, decided to parade down in the Indian section of the town where there are some 30,000 Indians residing. We now know the Indians were in control of local government, and when the officials of the Klan knew anything about what was going on they were arrested and brought before an Indian judge by a sheriff whom they elected. The Indian judge fined and jailed members of the Klan, and the last time we heard anything about that particular unit of the Klan, it was holding a meeting in another state.

Muskogee, Wagoner and Okfuskee counties offer opportunities where Negroes in Oklahoma can take a lesson from the Indians' notebook. So far as self-government is concerned the Indians have taught the Negroes valuable lessons that could be adopted down in the southern states.

A Citizen's Duty, Yet...

Negroes Still Fail to Register

During the last city council election, I learned that many of our most outstanding citizens are



Black Dispatch
DR. A. L. DOWELL
Oklahoma City, Okla.
not registered voters. Yes, we have teachers, ministers, leaders of organizations and a host of citizens whose names do not appear on the registration books.

Can we truthfully and sincerely say that such persons strongly desire to become first class citizens? No, we cannot, for if one wishes to attain a goal, he puts forth every effort, be it large or small, in the attainment of that goal. Voting is one of the first steps toward becoming a first class citizen.

In the last days of the recent campaign, after the registration books were closed, many persons came to me seeking voting information and assistance. The most outstanding difficulty was that so many had never registered. Many of these persons stated that never before had they actually felt to be a part of an election. A figment of realization was unveiling before them for the first time. From time to time I have been notifying non-registered persons of the periods of registration. Registration for the coming election is as follows:

For Regular Primary Election: Opens June 1, closes June 20.

For Run-Off Primary election: Opens July 22, closes July 11.

For General Election: Opens Oct. 5, closes Oct. 25 '58

Another problem that occurred frequently was the lack of knowledge as to where to register. I will answer this by stating that every individual should check with the registrar in his precinct during the period of registration, since redistricting has occurred recently and you may find yourselves in a different precinct, and especially so if you have moved a few blocks or many blocks within the past year.

The third common problem encountered was the difficulty in trying to register. Many registrars often failed to open their books during the period of registration for assorted reasons; some because they worked during the day, others because they did not know the period was open, and others because of a lack of interest.

The time has come for you and I to consider electing public officials to serve the county and state. It will be our duty to elect those who will serve us best according to our community needs as well as the needs of the state.

How are we to know that we are considering the best representative for these positions soon to be filled? This is a question that each and every voter should decide within himself. There are a few sincere and honest politicians who are working to elect the best men and there is a host of politicians who are working for individual financial gains and a promise. Please be informed that you, the voter, owe it to your state, your community, your family and to yourself to elect honest, competent and dedicated leadership. We must not be misled on the advice of cheap, commercial politicians. Let us, as Negroes, not sell our voting power, our respect and our integrity as has been done in the past. The time has come in which you and I as voters should assist in every possible way those truthful and sincere persons

who are working for the good of the community and the state. Anyone who possesses a white voting card is eligible to vote. Any voter who voted in the last presidential election is eligible to vote providing he has not moved into a different precinct and failed to register in this new precinct. The outstanding voting requirements for the ensuing election are as follows: One must be 21 years of age, a resident of the state for one year, the county six months, and the precinct for 30 days. A large number of voters feel they must register for each election.

Tulsa County Attorney Promises Voters New Ideas

J. Howard Edmondson, gubernatorial candidate and Tulsa county attorney, has based his fast-moving campaign for governor upon the conviction that Oklahoma voters are ready for new ideas and new blood in state government, it was revealed here last week.

According to Caesar C. Latimer, deputy Tulsa county attorney, the candidate believes the people of Oklahoma would rather have a young governor who is obligated to the people instead of an old governor who is obligated to the politicians.

Latimer said Edmondson could be right, because straw voting all over the state shows that Edmondson's "Big Red E Plan" for a new Oklahoma is the fastest growing campaign in the gubernatorial race.

"Veteran political observers have expressed surprise at red-headed Edmondson's rapid climb into the front ranks of the campaign. But Edmondson isn't surprised," continued Latimer.

Latimer added, "Success of the 'Big Red E Program,' Edmondson believes, proves that Oklahoma voters are fed up with the kind of self-serving statehouse politics which has stifled Oklahoma's progress for many years.

"It also shows," he said, "voters no longer can be fooled by 'nothing' platforms from fence-straddling machine politician who evade positive stands on all important issues.

"The 'Big Red E Program' faces problems squarely and offers reasonable solutions."

Edmondson's stand

1. Highways—"A long range master plan will be formulated to build roads and highways where they are needed by the public, not where they are needed by statehouse politicians.

"A constitutional highway commission, free from political control by the governor or any other politician, will be established to eliminate waste and inefficiency of our present, petty, political system.

"Commission members, under the new system, could be removed only for cause, not at the pleasure of the governor."

2. Welfare—"Removal of politics from our Welfare department holds top priority. Employees no

7. Reform—"There's a great need for a Merit system for state employees, to provide job security for present competent employees, and to encourage other qualified persons to seek careers in state government.

Edmondson's father, the late E. A. Edmondson of Muskogee, was the first county commissioner there to hire a Negro employee. His brother, U. S. Rep. Ed Edmondson, was the first second district congressman to add a Negro to his staff; and Howard Edmondson was the first Tulsa county attorney to employ a Negro as a staff member.

"As governor, I also will propose legislation establishing the office of district attorney as a substitute for the existing county attorney system.

"I'll also support legislation to permit counties with financial problems to contract with adjacent counties, with similar problems, to share costs of needed services.

"For instance, commissioners of several counties should share the costs of a civil engineer to supervise road construction in all the counties."

8. Labor—"As governor, I will oppose any legislation to discriminate against organized labor or interfere with labor's right of collective bargaining.

"Organized labor's main trouble today results from one-man rule in some unions. I favor legislation to guarantee control of all unions to the rank-and-file members."

Edmondson's positive approach to Oklahoma's problems comes as no surprise to those who have followed his career as a public official.

As county attorney at Tulsa, he enforced the law without fear or favoritism, and even sent five public officials to prison for corruption in office, despite predictions that he had signed his own political death warrant.

Such predictions came from professional politicians, but voters disagreed. Edmondson was re-elected overwhelmingly.

Edmondson's campaign tactics also are something new on the political scene. For one thing, he entered the race unmarked by the political scars and secret alliances so characteristic of statehouse politicians.

And his campaign organization is composed of unpaid volunteers.

Another Bill Berry Appointment Oklahoma City, Okla.



Mr. 6-24-58
Atty. John E. Green, Jr., 2244 N. E. 22nd street, Oklahoma City, was appointed as an assistant county attorney of Oklahoma county by James W. Bill Berry, Oklahoma county attorney, on January 1, 1958. This marked the first time a Negro has been appointed to such a position in Oklahoma county, and Mr. Green is presently the only Negro holding such a position below the Mason-Dixon line. Mr. Green graduated from Morehouse college, Atlanta, Ga., and the College of Law, University of Oklahoma, Norman, Okla. He is married to the former Wanda Sharp and is a member of Greater Cleaves Memorial C. M. E. church, Alpha Phi Alpha Fraternity, Inc., 32nd degree Mason, (recently receiving the "Prince Hall Mason of the Year" award), Alaruf Temple of the Shrine, Urban League, YMCA, NAACP, and various other civic and social organizations.

Green is a Korean veteran, holding the Bronze Star medal and Combat Infantry's badge. Assistant County Attorney Green urges all of his friends and acquaintances to vote for James W. Bill Berry for re-election as county attorney of Oklahoma county. Further, he states, "The voters of the Eastside should help return Mr. James W. Bill Berry to office by an overwhelming vote to show our appreciation to Mr. Berry for having the fortitude to make such a precedent appointment."

Quality For Voting In The July 1st Primary

Friday, June 20, is the last day for registration before the primary election July 1. Starting Friday, everyone of every political faith should take time out from a busy day to qualify for voting in this important election. New voters may qualify during this period. This is one year when Negroes should vote and attend political meetings. In a certain sense, this is an election as important as the election prior to the Civil war when everything was contingent upon the candidate's idea about physical freedom of Negroes.

In every sense it is just as important as the election in 1860, and there is just this fundamental difference between your relationship to this election and the one in 1860. In that historic election Negroes could not vote. In the July election this year every Negro in Oklahoma, with achieved citizenship and sense enough to qualify for suffrage, can cast his ballot.

There is no wisdom or common sense in the philosophy of thousands of Negroes who go to their regular work on election day and give no thought to government. We have heard many of them jeer when it is suggested that they vote, with this remark, "You do the voting while I get the dollars." This is common and supposed to be a wise-crack made by many stupid men of color.

One must not only make money but he must make that money in an atmosphere where he will be secure in the ownership and use of money. You think that you have certain rights dealing with human values, but that same legislature while you work can contract or expand those basic rights. The only way that questions of government will be resolved in your favor is when those who run for office or actually hold office, know that you effectively focus your pleasure or displeasure upon them through the use of your ballot.

The Black Dispatch which has been serving you for the last 40 years, is asking every Negro, eligible to register, to register and vote on July 1 in this primary election.

Stassen Far Back In Voting

D'Alesandro Leads Maryland Primary

By Herald Wire Services

PHILADELPHIA — A tremendous outpouring of organization support in Philadelphia for Arthur McGonigle Tuesday in advance to have an easy night buried Harold Stassen's race for the Democratic governorship nomination for the Republican nomination for governor of Pennsylvania under a 70,000-vote deficit in returns from nearly one-third of the state.

One of Stassen's two principal opponents, William S. Livingston, conceded his own defeat and commented, "it would appear the organization has been victorious."

McGonigle, Reading pretzel manufacturer and a newcomer to statewide politics, had the solid support of the GOP organization for the nomination.

Stassen acknowledged that "it would be very difficult in the state as a whole to overcome the adverse vote in Philadelphia." He said he would have no further statement until this morning.

In Maryland, Mayor Thomas D'Alesandro won the Democratic nomination for the U.S. Senate Tuesday.

His chief opponent, perennial candidate George P. Mahoney, conceded the election to D'Alesandro shortly before midnight.

D'Alesandro had piled up an early commanding lead and his advantage kept increasing as returns poured in. When Mahoney conceded, D'Alesandro was assured 90 of Maryland's 152 elect votes out of a total of 152.

The other two candidates—Ambassador to Argentina James Bruce and

Clarence Long, a Johns Hopkins University economic professor, were trailers.

There was virtually no contest for Sen. Glenn Beall in his try for renomination as the Republican candidate for senator. He had only token opposition.

Maryland's present governor, Republican Theodore R. McKeldin is ineligible to run again. Rep. James P. Devereux, Wake Island marine hero of World War II, was unopposed for the republican nomination

for governor.

J. Millard Tawes, Maryland's state comptroller, was conceded for the Democratic governorship nomination.

In Pennsylvania, it was generally agreed from the start that Stassen would have an uphill battle. McGonigle had not tried before for public office, but has been active raising party funds.

In Pennsylvania's Democratic race for governor, Pittsburgh Mayor David L. Lawrence rolled up a commanding lead over his nearest opponent, Roy E. Furman.

Voters in 11th-Hour Rush to Reregister

By S. L. LATIMER JR.

Editor, The Columbia State
Special to The Atlanta Journal-Constitution

COLUMBIA, S.C., May 3—No matter whom the Democratic primaries next month may favor, more than half of the Constitutional officers of South Carolina could be new as a result of the election.

The governor cannot succeed himself, the lieutenant governor is seeking promotion to chief executive, the adjutant general and attorney general are retiring, and the superintendent of education and the commissioner of agriculture have opposition.



S. L. Latimer

Therefore only the three unopposed occupants of offices in the State House are sure to be the same after the voting. These are Treasurer Jeff B. Bates, Comptroller General E. C. Rhodes and Secretary of State O. Frank Thornton. In contrast in 1954 the last election for these offices there was not a single change as a result of the voting, save in the office of governor, who is not eligible for reelection, and lieutenant governor.

In the meantime thousands of South Carolinians are working against a deadline to qualify to vote in the June 10 election. This

SOUTH CAROLINA

re-registration year and only new certificates will be honored. The time is not expiring for a person to reregister, but under the law a certificate must be issued 30 days prior to an election to be valid in that election, so the last day for those not yet registered is next Saturday, if they expect to vote next month. And there are many, many voters who have procrastinated, though the books have been open since last September.

Up to the present writing the fun with the touring campaign party has been furnished by the aspirants for lesser posts. The

aces for governor and lieutenant governor, while hot underneath the surface, have yet to explode in full force on the hustings, but there is spirited criticism in the contest for commissioner or agriculture and superintendent of education and, to a lesser degree, in that for adjutant general.

A. W. (Red) Bethea, who has run unsuccessfully before for the agricultural post, continues to criticize the incumbent, W. L. Harrelson, and Odelle Harman is taking thrusts at Jesse Anderson, the incumbent superintendent of education, who Harman claims agreed not to run this year, a charge Anderson denies.

The Week in South Carolina

The proposed nuclear power plant 26 miles from Columbia, which has had rough sledding of late in Washington, has gained approval of the AEC but the Congressional committee on such matters has yet to give the final OK. . . . Voters of Columbia by a referendum majority have turned down a proposal that 6½ mills additional levy be placed upon property for school district purposes. School officials say they will have to make out the best they can. . . . Negro residents of Florence have filed a three-page list of grievances with city council. They ask representation on several city commissions and agencies; also a playground center with tennis courts and swimming pools. No action has been taken on the requests. . . . Charleston is planning a pageant as part of the nationwide Confederate War Centennial in 1961. The pageant would depict the role played by Ft. Sumter, where the first shot of the conflict was fired. The old fort, which stands intact, will be used as a background for the historical drama.

Just Couldn't Be!

"Is there a robber in the house?"

The Marion (S.C.) Star printed this story about a member of the South Carolina House of Representatives from its county: Mrs. James C. Hooks of Mullins, wife of Rep. Hooks, sat up in bed, a startled look on her face.

"Jim," she whispered, "there is a robber in the house."

"Impossible," was the reply. "In the Senate, yes; but in the House, never!"

Kingstree Negro Considers Suit For Voting Certificate

By W. G. BARNER

News & Courier Roving Reporter

KINGSTREE — A Negro businessman said today he may seek court action in Williamsburg County's refusal of his application for voter registration.

J. Furrman Demery was not committal on a definite plan of action but stated he is "considering" a lawsuit against the registration board.

Appeal of the board's action, he declared, would be "useless."

"It takes something stronger than that," he said.

Demery's application was turned down last November on the basis he did not meet state requirements of satisfactorily reading and writing a section of the Constitution.

He said he had registered three times previously and on that basis and because of his education and business background he might seek a court order forcing the board's hand.

Demery, an undertaker with interests in both Kingstree and Hemingway, charged the board had not fulfilled the rights as guaranteed by the U. S. Constitution.

The federal government guarantees the right to vote, he said, "and it should afford the means to vote."

"The federal government has left it to the states to handle registration. Well, the states haven't given it to us."

Demery was turned down Nov. 6 because, the board said, he could not satisfactorily read Section 25 of the S. C. Constitution and that in writing the same section he made 10 errors in spelling and word omissions.

The board's action came as a "surprise," he said, in view of his previous registrations and his business and educational background.

He was registered at least three times previously, he said, "without question." And he has held the office of executive secretary of the Williamsburg chapter of the Palmetto Voters Assn.

He holds a bachelor of arts degree from Claflin University, studied three years at Howard University in Washington, taught school nine years and has been assisting others in filing income tax and social security forms for years.

"I almost laughed," he said, "when the board turned me down."

He said he is "considering some court action but I have not decided yet what it will be. I'll have to confer more closely with an attorney."

No Color Bar Found In S. C. Voting; Both Races Should Prove Ability

At a mixed meeting Sunday in Washington, reports were submitted on registration of Negroes to vote in the South. Summarizing the state reports, one of the speakers said they show that Negro voters must run the gauntlet of "fear, bodily harm and racial discrimination" to register.

Insofar as this statement concerns South Carolina, we know it to be untrue. P. 6-A

A witness for the integrity of registration processes in South Carolina is Mrs. Andrew W. Simkins of Columbia, vice president of the Southern Conference Educational Fund, sponsor of the meeting. Mrs. Simkins has long been active in the NAACP in South Carolina.

Asked to report on difficulties surrounding voter registration in the Palmetto State, she cited only one instance of alleged discrimination. She charged that a Negro businessman had been rejected when he sought to register in Kingstree.

The Williamsburg County Registration Board has replied to the

charge of discrimination. The board said the Negro applicant made 10 errors in writing one section of the Constitution.

We have not been informed that a protest has been filed by the applicant as a result of his rejection. We have been informed, however, of indications that more Negroes will be registered this year in Williamsburg County than at any other time.

That there is only one allegation of discrimination, and that one questionable, speaks well for administration of voter registration laws in South Carolina. This confirms our belief that voters are being registered without discrimination.

We also believe the State of South Carolina has a firm duty to insure qualification of voters regardless of race. Only citizens who demonstrate ability to understand public issues should be registered. Application of the law should be strictly applied to both white and Negro voters.

S. C. Still Has Thousands Ineligible To Vote June 10

Percentage Of Negroes Is Smaller

From Special Correspondent

With the May 10 deadline for registering for the June Democratic primary fast approaching, most Negroes apparently are showing little interest.

Even counties with large Negro populations reported the percentage registering small as compared to the number of white electors.

Figures for Florence County show that through April 30 only 16,057 had registered and of this number 1,628 were Negroes. Approximately 25,000 registered in Florence County during the last period 10 years ago.

Colleton County during the last period had 9,284 registered and to date for the current period 5,731 had registered. N. N. Maxey, acting chairman, announced.

Darlington County reports that approximately 11,000 have registered thus far this year as compared to 15,000 during the last period. Of those registered now approximately 9,000 are white and 2,000 Negro.

Clarendon County, where the Negro population outnumbers the white 2 to 1, now has 3,567 registered compared to 6,392 for the last period. Of those registering now, 92 per cent are white and 8 per cent Negro, Harold Detwiler of Summerton, chairman of the county board, reports.

IN DORCHESTER

Of the 5,155 registered in Dorchester County as of May 3, the board lists 4,795 white and 360 Negro. For the last period, Dorchester had 5,500 registered.

By 11 a.m. Monday 3,902 had registered in Beaufort County. "With the little time remaining, it will be impossible for us to register as many as we did for the last period," Frank B. Webb, registration board chairman said. A total of 5,500 was registered for

the last period. Beaufort reported the greatest number of Negroes registering, based on population. He said about 50 per cent of those registered were Negroes.

Otis M. Hill, chairman of the Sumter registration board, in reporting the total number of registered voters Monday, expressed the belief that the figure represented a new high for the county.

Registry Deadline Is May 10

By THE ASSOCIATED PRESS

Thousands of South Carolinians will be ineligible to vote in the Democratic primary elections unless the pace of registration steps up briskly between now and May 10 when the books close.

A check of larger counties showed that the number of names in registration books are far behind the total listed before the new registration began.

A new registration period is required every 10 years by the state constitution. This year's legislature set up the machinery for the new enrollment of voters.

Charleston County reported over the weekend a registration of 34,454 compared to 51,378 before the new registration period began.

However, the pace of registration had picked up there about 25 per cent on a daily basis in recent days and was expected to hit a higher peak this week.

NEGRO IN RACE

The estimated population of the county is about 207,000, with about 75,000 to 80,000 of that number Negroes. One Negro is a candidate for the State House of Representatives in a field of 23 for 10 seats. About 5,635 Negroes have registered in the county.

Greenville over the weekend had a new registration of 45,783 compared to 55,000 names on the old books. There has been no evidence of a big push of last minute registrations, though younger people have been signing up in increasing numbers in recent days.

'NO CRUSH'

Anderson had no registration crush at all until last Saturday

Really Qualified To Vote? Check Registration Date

Have you registered to vote since Sept. 16, 1957?

If not, and you fail to register this week, you will not be able to cast your ballot in the June 10 Democratic Party primary election.

With only five days left in which to register, about one-third of Charleston County's adult population have put their names on the voting books. When the books closed last Saturday for the weekend, 35,815 persons had registered.

Only a little more than a quarter of that total represented registrants who live in the City of Charleston.

Voting observers point out that many persons apparently feel their pre-1957 voting certificates are still valid. They are not. The registrations books were re-opened last September to begin signing up voters for the 1958-68 period. The books will close this Saturday until after the June 10 primary.

Registration books are now open at two locations. At Crafts School, Legare and Queen Streets, the books will be open from 9 a.m. until 5 p.m. weekdays and from 9 a.m. to 1 p.m. Saturday. At St. Andrew's Fire Station 1 in Windermere, the books will be open from 3 p.m. to 8 p.m. weekdays and from 9 a.m. to 1 p.m. Saturday.

when the first lines were formed at the courthouse. The registration stands at about 23,000 compared to 35,000 on the old books.

Richland County has a little more than 35,000 voters ready for the June 10 elections. The old books contained 45,000 to 50,000 names.

Aiken County, as of Saturday, had a total of 18,300 re-registered.

One of the best re-registration showings in the state was reported at Spartanburg. John Chandler, chairman of the registration board, said 42,000 voters were registered through Monday out of an estimated 50,000 to 60,000 prospective voters.

Books will be open for Berkeley County applicants from 9 a.m. to 5 p.m. today at the Moncks Corner Office Building.

Registration Books Close In S. C. Today

South Carolinians will have their last chance today to register to vote in the Democratic party primary election.

The registration books throughout the state will close until after the June 10 Democratic primary.

In Charleston County, two sets of registration books will be open from 9 a.m. to 1 p.m. today. They are located at Crafts School on Legare Street and at the St. An-

drew's Fire Station No. 1 in Windermere.

A last-minute rush developed at the Crafts School registration site yesterday. Lines of applicants formed at several periods throughout the day.

Mrs. John C. Townsend, registration board chairman, said board offices will be open on specified days after tomorrow to issue duplicates of lost registration certificates. No new certificates can be issued.

Books will be open for Berkeley County applicants from 9 a.m. to 5 p.m. today at the Moncks Corner Office Building.

Comment Made On Clarendon Registration

Ample Opportunity Given Everyone, Clerk Declares

MANNING (AP)—Clarendon County, which figured in the first school desegregation ruling, registered only 324 Negro voters by the deadline last Saturday.

Negroes outnumber Whites 2 1/2

to 6 1/2 in the county, which has a non-white population of 22,636. White registration was listed as 3,453 out of a population of 9,379.

"Everybody certainly had ample opportunity to register," said the Rev. Wilbur V. Johnson, a Manning Baptist minister who served as clerk of the County Board of Registrars. He said re-registration requirements had publicity for months.

Both Negroes and Whites who sought to register were given qualification tests required by state law. Mr. Johnson added. Prospective voters must be able to read and write a section of the U. S. Constitution unless they can show a receipt for state taxes paid on property with an assessed valuation of \$300 or more in 1957.

Asked to comment on low registration by members of his race, William Parker, principal of the Manning Training School for Negroes, said the illiteracy tests would bar many Negroes from voting. He said Clarendon has the highest illiteracy rate among Negroes of any South Carolina County.

NO TROUBLE

Parker said he and members of his family had no trouble registering and he said he had heard of no effort to keep Negroes from qualifying to vote in the June 10 State Democratic primary.

Mr. Johnson said more whites who sought to register had been disqualified. He said comparative figures were not immediately available.

Previous registration rolls did not designate registered voters as to race. Mr. Johnson estimated 450 or 500 may have been on the old list before complete re-registration was ordered last November as required every 10 years under South Carolina law.

Voters Fail To Register In Numbers

26% Of Citizens
Voting In 1956
Have Qualified

COLUMBIA, Jan. 10 (AP) — South Carolina voters aren't getting out to reregister for the June 10 primary election and Secretary of State O. Frank Thornton today produced a batch of figures to point up the situation.

Reports from 44 of the state's 46 counties show that as of Dec. 15, only about 26 per cent of the number of voters who balloted in the last statewide election, Nov. 6, 1956, have reregistered for the coming primary.

Comparative statistics were not available for Barnwell and Marion counties, which did not report their reregistration figures.

761,162 VOTERS

Thornton said that 761,162 persons voted in the 1956 general election. As of Dec. 15, only 197,368 had reregistered under a new registration set-up, authorized by the last Legislature, which requires filing an application blank containing such information as designation of race as well as submitting to literacy tests.

Union County has apparently done the speediest job so far of reregistering its voters. Fifty-three per cent of the number who balloted in the 1956 election had reregistered by the middle of last month.

On the other hand, Marlboro County had only reregistered 8 per cent of its 1956 voters.

FOUR MONTHS

Thornton pointed out that most counties have four months to complete reregistration for the June primary as registration books must be closed 30 days before an election.

There is even less time in some counties, such as Richland and Sumter, where municipal elections would force closure of books in local areas for added periods.

Sumter and Richland counties had reregistered 46 and 43 per cent, respectively, of the numbers of persons who cast ballots in 1956.

Voting Registry Lists Tabulated

Table of comparative figures:

County	Total Res. 1957	Total Res. Nov. 6, 1956	P.C. total 15. Res. as of Dec. 15.
Abbeville	2,000	9,101	21.5
Aiken	11,232	28,188	39.6
Allendale	531	3,504	15.1
Anderson	6,900	36,607	18.6
Barnwell	1,915	5,571	34.2
Barnwell		9,628	
Beaufort	2,213	8,035	27.5
Berkeley	2,512	10,191	24.4
Calhoun	1,035	3,300	31.4
Charleston	14,365	54,136	26.5
Cherokee	4,050	15,715	25.7
Chester	2,851	11,551	24.6
Chesterfield	3,160	17,046	18.5
Clarendon	7,878	6,392	29.6
Colleton	2,509	9,691	25.9
Darlington	6,152	22,666	27.1
Dillon	1,861	9,808	18.9
Dorchester	1,928	8,239	23.4
Edgefield	1,257	6,284	20.0
Fairfield	2,408	6,376	37.7
Florence	8,890	28,647	31.0
Georgetown	1,704	9,062	18.8
Greenville	14,163	55,933	25.3
Greenwood	2,242	17,058	13.1
Hampton	1,367	6,037	22.6
Horry	4,333	24,503	17.7
Jasper	1,246	3,235	38.5
Kershaw	3,801	10,444	36.3
Lancaster	2,050	14,252	14.3
Laurens	4,635	19,259	24.0
Lee	1,156	4,470	25.8
Lexington	3,550	17,515	20.2
Marion		10,403	
Marlboro	909	11,497	7.9
McCormick	438	2,428	18.0
Newberry	2,850	13,687	20.8
Oconee	2,777	12,777	21.7
Orangeburg	6,666	16,095	41.4
Pickens	3,410	15,019	22.7
Richland	20,631	47,574	43.3
Saluda	869	6,982	12.4
Spartanburg	14,798	63,965	23.1
Sumter	5,866	12,790	45.8
Union	9,000	16,933	53.1
Williamsburg	3,873	10,097	38.3
York	5,387	28,471	18.9
TOTAL	197,368	761,162	25.9
*Not Available.			

Feuding Assembly Shelves Voting Bill

From AP Reports
COLUMBIA, Feb. 20 — A bit

terly quarreling General Assembly in a heated fight today temporarily shelved a bill to give voters some help in re-registering.

A bill enacted today gives a break to corporate income tax payers. The bill provided two plans for computing the 5 per cent tax on foreign corporations, effective two years from now. This, a special committee insists, will attract enough new and expanded industry to more than overcome any revenue loss.

The state now uses a combination of property owned and manufacturing costs in computing a foreign corporation's income tax liability for its South Carolina operations.

The bill would continue this, but allow an alternate — inclusion of sales in the formula.

The House and Senate got all fired up over a voter registration relief bill. They turned their backs on each other over it, dumping the measure into the hands of a compromise conference committee.

The bill would allow the governor to appoint deputy registrars. The deputies could speed the huge task of re-registering the state's 600,000 voters for a new 10-year period and in time for the big quadrennial Democratic Primary June 10.

It was all but ready for the governor yesterday. Then the Senate discovered, and refused to accept, a final House amendment to give House members a voice in dispensing funds to pay voter registration board members.

"We have surrendered enough senate prerogatives," Sen. Gressette of Calhoun declaimed.

The same compromise committee has an earlier bill that wound up in the same jam. The Senate agreed to back up yesterday and give the House a voice in confirming the governor's deputy appointees.

But the idea of the House also having a hand in dispensing the salary money was more than the senate would take.

Registration Speed-Up Bill Is Now Law

COLUMBIA, Feb. 26 (AP) — Gov. Timmerman today signed a bill to speed registration of South Carolina voters in time for the June 10 state Democratic Primary election.

The governor then named the first 15 persons to serve as deputy registrars. All are from Anderson County.

The new law provides for deputy registrars in each county to assist regular members of the county boards in preparing voters for the primary.

It was passed by the General Assembly yesterday.

The Anderson County deputy registrars, as well as those from other counties still to be named by Timmerman, will serve until May 10. State law requires that registration books be closed 30 days before an election.

Appointments are made by the governor and confirmed by a county's senator and half of its House delegation. They are paid from county funds.

More Registered Than Usually Vote

COLUMBIA, Feb. 28 (AP) — Despite legislative grumbling about slow voter registration, only rarely has South Carolina voted more people than already are on the books.

The State is starting a new 10-year voter registration period, old certificates expiring May 1.

New ones, issued starting last fall, are a must for the big Democratic primary June 10.

Legislation to ease slow-moving registration lines with deputy registrars was enacted this week.

Already more than 300,000 voters are re-registered — the exact figure on reports Feb. 15 was 298,000, but at going rates that figure now is estimated at about 310,000.

Just what the present registration is on the old certificates, is a matter of pure estimate. The books show 761,132. But this is the total who have signed up since 1948. Many have died and many more are double-registered by having moved from one county to another. Others have moved out of the state but their names still are on the book.

A lot of population shifting can occur in 10 years, and some state officials think 600,000 active is a generous estimate.

So more than half have registered, with more than two months to go.

Only twice, since certificates were required for primaries beginning in the 1950 Democratic voting, has the turnout exceeded present registration.

The initial tryout of using voting certificates for a primary found 346,000 going to the 1950 polls when James F. Byrnes was elected governor and Strom Thurmond and Olin Johnston staged a hot U.S. Senate race.

That's an all-time record since World War II for any election in this state. Before registration certificates were required, 334,000 voted in the 1948 primary and 290,000 voted in the 1946 primary.

There was no statewide primary in 1952, but 341,000 balloted in the general election, smashing

all previous general election records by about seven times over. A South Carolinian for Eisenhower movement did it.

A total of 302,000 Democrats turned out for the 1954 primary and a keen governor's race. There was no 1956 statewide primary, but that year's general election drew 300,000 when Strom Thurmond won a U. S. Senate seat in an 11th hour write-in campaign.

The 1958 primary drew a total vote of — but we're getting ahead of ourselves. We'll count them for you, come June 10.

Negro Political Leaders To Meet At Orangeburg

DARLINGTON (Special) — Several hundred Negro leaders from various counties are expected to attend a political caucus under the auspices of the Palmetto State Voters Assn. in Trinity Methodist Church, Orangeburg, June 4, according to State Chairman W. J. Hunter of Darlington.

The purpose of the meeting, according to Hunter, will be to discuss the candidates and platforms involved in the June Democratic primary. The Palmetto State Voters Assn. is a non-partisan voluntary organization having as its members a cross section of Negro voters throughout the state, Hunter said.

Voter Re-Registration Bill Hits Snag In S. C. House

Approving Of Deputies Is Disputed

COLUMBIA, Feb. 11 (AP)—Impatient voters were caught today in a General Assembly dispute.

A bill to speed up the reregistration of approximately 600,000 voters, now making slow progress, was brought to an abrupt halt when the House refused to concur in a Senate amendment.

Posts of deputy registrars would be created by the bill. The deputies could speed long, slow lines of reregistering voters seeking now to beat the May 10 deadline for the big June 10 Democratic primary. The primary will nominate a governor and other top officials.

The House-Senate issue is this: The bill originally called for House and Senate approval of any deputy registrars appointed by the governor. The Senate struck out the House approval, leaving the deputies subject only to Senate approval, as is the case now with each county's three registration board members.

NEED URGENT

"I know the need is urgent," Rep. McNair of Allendale said, "but the right of the House as a whole is paramount . . . in spending county funds that would pay deputies."

"In our county," declared Rep. Smoak of Colleton, who has indicated he may run against Sen. Jefferies June 10, "You can't have a fair and impartial election with the senator in control."

The Senate was in local session and devoted its time to a big public ceremony unveiling portraits of its senior members, Sens. Brown of Barnwell and Jefferies.

CIVIL DEFENSE

Sen. Woodlee of Greenwood announced he will introduce tomorrow a bill to create a separate state civil defense agency. It now is under the office of the adjutant general. Gov. Timmerman asked such legislation in his annual address.

Second house readings were given to bills by Rep. Moore of Spartanburg to outlaw, as illegal gambling devices, free play pin-ball machines; and to allow judges to use discretion in sentencing liquor law offenders who plead guilty. Mandatory sentencing now is in effect.

Voter Registry Books Open For 4 More Weeks

With only four weeks remaining, fewer than 30,000 Charleston County citizens have registered to vote.

Registration Board officials said books will remain open this week at North Charleston's Montague Avenue fire station. They will remain open at Crafts School in downtown Charleston, until May 10 when they will close until after the June 10 Democratic Party Primary.

Hours are from 3 until 8 p.m. Monday through Friday and from 9 a.m. until 1 p.m. on Saturdays.

Less than 1,000 persons registered last week. With a population of more than 200,000, Charleston County should have about 120,000 persons 21 years of age or older. Certificates are necessary for voting in the primary.

In The Legislature

Voters' Write-In Right Threatened

By W. D. WORKMAN
Editorial Correspondence

COLUMBIA — The "write-in vote," a proven safeguard of aroused citizenry, is in danger of restriction at the hands of the General Assembly in these closing days of the 1958 legislative session.

The threat stems from a bill sponsored by the Senate Judiciary Committee, approved by the Senate, and now favored by a majority of the House Judiciary Committee. The measure makes no reference to write-in votes by that term, but simply requires that all candidates for public office file campaign pledges at least 30 days prior to an election, or, in the event of the death of a qualified candidate within that 30-day period, within five days prior to the election.

Failure to comply with that requirement, the bill states, "shall render such election null and void insofar as concerns the candidate who fails to file the statement and pledge herein within the time required."

Out of the legal language of the proposed bill emerges this fact: That a write-in candidate would be barred from election if he or she did not file a pledge 30 days prior to the election. Thus would be shut off a safety valve which now guarantees to the electorate the right to choose a candidate (in any general election) without regard to preliminary technicalities.

The right of a political party to establish requirements and procedures for persons seeking to become nominees of the party is unchallenged, but both the Constitution and the courts of South Carolina protect the "free exercise of the right of suffrage" in the general elections. And that protection extends to persons who may be voted for even without having established themselves as candidates. Here's what the Supreme Court of South Carolina said on that point back in 1932:



WORKMAN

"An citizen qualified to hold the office to which he aspires may, on his own initiative, become a candidate for such office in the general election. More than that, any voter has the legal right in a general election to cast his ballot for any person for any particular office, even if the person desired to be voted for is not a candidate of any political party, or has not even announced on his own individual responsibility his candidacy for the office."

For the General Assembly to now declare that no person may be elected in a general election unless he files a campaign pledge 30 days prior to the election would fly in the face of what the Supreme Court has held.

Supporters of the bill argue that it is for the public's own protection in that it would prevent a sudden surge of write-in voters from catching the general populace by surprise and naming their own candidate. The answer to that is this: That continual watchfulness and habitual participation in elections is the best protection against surprise. If the public sleeps on its rights, then it deserves being jarred into wakefulness from time to time. But don't let restrictive legis-

lation stand in the way of the public's right to cast a free and unfettered ballot for the persons of their choice in general elections.

State's Voter Registry Set At 538,915

New South Carolina
Racial Breakdowns
Lacking In Official
Tabulation Figures

COLUMBIA — South Carolina has 538,915 thousand voters registered for the June 10 Democratic primary.

The total was announced Monday by Secretary of State O. Frank Thornton, who called it "a good registration."

NO BREAKDOWN

Thornton did not, and said he will not, have a breakdown of white and Negro registrants, although this year's new application forms required race designation.

But 12 counties on which a breakdown is available give a ratio that figures to 66,000 Negro registrants.

ESTIMATES VARIED

Estimates of what the new 10-year period registration would be had varied from 400,000 to more than 500,000 during past weeks before the books closed May 10.

Persons may continue to register, of course, but only those on the books May 10 are eligible for the primary in which the offices of governor and other statewide posts are open.

The old registration for the entire 10-year period was listed at 761,162 by Thornton, a figure, he says, "that did not represent a true registration picture; over the 10 years an accumulation of people who had moved . . . died and who had received duplicate certificates was included."

"HAD OPPORTUNITY"

Thornton said, "We believe ev-

ery citizen who wished to register had the opportunity prior to the closing of the books . . . It appears that local boards of registration have done an excellent job all over South Carolina."

Thornton gave the registration as 70.8 per cent of the old registration figure.

County	1958	1956	Per Cent
Abbeville	5,537	9,101	60.9
Aiken	20,216	28,188	71.7
Allendale	2,559	3,504	73.0
Anderson	25,048	36,607	68.4
Bamberg	3,660	5,571	65.6
Barnwell	5,317	9,628	55.2
Beaufort	4,141	8,035	51.5
Berkeley	7,060	10,191	69.2
Calhoun	1,773	3,300	53.7
Charleston	40,136	54,136	74.1
Cherokee	11,276	15,715	71.7
Chester	9,143	11,551	79.1
Chesterfield	9,597	17,046	56.3
Clarendon	3,872	6,392	59.1
Colleton	6,430	9,691	66.3
Darlington	12,635	22,666	55.7
Dillon	5,740	9,808	58.5
Dorchester	5,742	8,239	69.6
Edgefield	3,537	6,284	56.2
Fairfield	4,968	6,376	77.7
Florence	17,953	28,647	62.7
Georgetown	5,578	9,062	61.6
Greenville	51,097	55,933	91.4
Greenwood	11,682	17,058	68.5
Hampton	3,460	7,037	57.3
Horry	15,122	24,503	61.7
Jasper	2,464	3,235	76.2
Kershaw	9,790	10,444	93.7
Lancaster	12,977	14,252	91.1
Laurens	11,033	19,259	57.3
Lee	4,908	4,470	108.8
Lexington	14,319	17,515	81.8
Marion	6,252	10,403	60.1
Marlboro	7,411	11,497	64.5
McCormick	1,399	2,428	57.4
Newberry	8,480	13,687	62.0
Oconee	8,277	12,777	64.8
Orangeburg	12,288	16,095	76.3
Pickens	10,734	15,019	71.5
Richland	38,775	47,574	81.5
Saluda	4,351	6,982	62.3
Spartanburg	45,084	63,965	70.5
Sumter	9,704	12,790	75.9
Union	12,124	16,933	71.6
Williamsburg	6,390	10,097	63.3
York	18,966	28,451	66.6
Total	538,915	761,162	70.8

Good Racial Relations Exemplified In S.C. Primary

News and Comment
BY W. D. WORKMAN JR.

Editorial Correspondence
COLUMBIA

South Carolinians of both races may well take pride in the general evidences of good-will which have characterized political proceedings in this election year.

Segregation has been a rather constant talking point, to be sure, but it is so much to be expected that even the Negroes admit that a candidate for state office can hope for election without taking a stand against integration. Consequently, the candidates' respective and well-nigh uniform positions in favor of segregation tend to have a neutralizing effect, leaving the choice between them on other grounds.

But more important to the climate of good race relations has been the treatment accorded members of the opposite race in political gatherings, and it is in this area of association that South Carolinians can find reassurance.

Going back to the March conventions of the Democratic and the Republican Parties of South Carolina are evidences of tolerance which do not coincide with the Northern propagandists' picture of oppression and tension. At both state conventions and at the earlier county conventions, Negroes appeared and participated without incident.

At the Republican state convention, Negroes were present in good numbers and played an active role in the proceedings. There was considerable give and take of debate on the floor, several frank discussions of racial issues and decisions openly arrived at by both sides within the convention.

A number of Negro delegates showed themselves to be able spokesmen and they received courteous attention. They were outnumbered and outvoted when anything suggesting integration was brought up, but they were heard out when they had something to say.

In two counties, Richland and

Charleston, Negroes filed as candidates for the State House of Representatives, and were accepted as such without commotion or abuse.

From place to place during the campaign tour of the Democratic candidates for state office, Negroes turned out for the speaking. Their presence was accepted without protest and, in at least one instance (at Lancaster), white spectators cleared a section of the courtroom at the county chairman's request so that "some of our Negro friends" might hear the speeches.

The leaders of the Palmetto State Voters Assn. (of Negroes) insist that their effort is to provide a forum at which colored citizens may learn more about politics and be educated in citizenship, not to build up a bloc vote. An encouraging sign of that was manifested in Columbia's predominantly Negro Ward 9, which in the past has voted as high as 12 to 14 to 1 in favor of candidates designated as the Negro choice. This year, the vote was split up in the governor's race to a greater degree than in many a year.

All of which points to the truth of the Southern premise that white folk and black folk can live together peaceably, reflecting what an earlier Supreme Court once described as "a mutual appreciation of each other's merits, and a voluntary consent of individuals."

PRIMARY VOTE BIG IN SOUTH CAROLINA

3-Way Race for Governor
Nomination on Democratic
Slate Draws Turnout

Special to The New York Times.
COLUMBIA, S. C., June 10—Sunny skies and hotly contested

local races swelled the state turn-out today in the Democratic gubernatorial primary.

As the polls closed at 6 P. M. a number of polling places reported long lines of persons still waiting to vote.

Voters chose a nominee from a three-man field made up of the Lieutenant Governor, a mayor and the former president of the University of South Carolina.

The nomination is equivalent to election in this overwhelmingly Democratic state. If no one receives a majority, the winner will be decided in a runoff June 24 between the two leading candidates.

A total of 538,000 persons were qualified to vote in the primary, 10.8 per cent of them Negroes.

The present Governor, George Bell Timmerman Jr., will complete his four-year term in January. He is not eligible to succeed himself.

Three-Way Contest

Seeking the Governorship were Ernest F. Hollings of Charleston, 36-year-old Lieutenant Governor; Mayor William C. Johnston, 54, of Anderson, and Donald S. Russell, 52, of Spartanburg. Mr. Russell resigned as head of the state university to make the race.

Mr. Johnston is a brother of Olin D. Johnston, the state's senior Senator.

Mr. Russell has served as law partner and associate in the Federal Government with James F. Byrnes, former United States Supreme Court Justice Secretary of State and Governor of South Carolina.

However, the contest was no regarded as a test of strength between Senator Johnston and Mr. Byrnes. The Senator issued a statement supporting his brother's candidacy but made no speeches in his behalf. Mr. Byrnes did not declare his stance publicly. It was assumed he was backing Mr. Russell.

Conservatives Vie

No candidate was cast in the favorite's role. However, Mr. Russell and Mr. Hollings concentrated their fire on each other during the campaign. I was held likely that they would attract the conservatives, who were estimated to make up about two-thirds of the total vote.

Mr. Johnston repeatedly asserted that he was a "loyalist"—as opposed to a "states rights" Democrat. His support was seen to lie mainly among the farmers and textile mill workers of the Piedmont.

There was little disagreement among the candidates on the issues. All pledged to maintain segregation, to work to attract new industry and to seek to end the first deficit the state government has had in many years.

Their advocacy of segregation was called "expected" by E. D. Turnage, a Negro attorney and executive secretary of the Palmetto State Voters Association, a Negro organization.

"Things being as they are, Negroes realize that all candidates in South Carolina have to take a position favoring segregation," he said.

Stress in Experience

The stress in the campaign was mainly on the experience of the three aspirants—Mr. Hollings in the Legislature, Mr. Russell in Federal service and business and Mr. Johnston as a mayor.

Mr. Hollings entered politics ten years ago as a state representative from Charleston County. He served six years in the House, four of them as Speaker Pro Tempore under Governor Byrnes.

Mr. Russell, who was Assistant Secretary of State for Administration under Mr. Byrnes, is president of the Auto Finance Company and director of the Piedmont Natural Gas Company. He headed the University of South Carolina from 1951.

Mr. Johnston was named to an unexpired term in the State House of Representatives in 1929 and won re-election in 1930. He has served on the State Industrial Commission and the Public Service Authority's Board of Directors and is completing his sixth two-year term as mayor.

Negro Voters Assn. Denies Any Plans For Bloc Voting

By W. D. WORKMAN
Capital Correspondent

COLUMBIA — Negro voting in next week's Democratic primary "possibly might show trends in the direction of certain candidates," but a spokesman for the Palmetto State Voters Assn. denies there will be any overall bloc voting. *Newspaper*

That word came Friday from E. D. Turnage, Negro attorney of Darlington, and executive secretary of the "organization for political action." The Voters Assn. held a statewide conference at Orangeburg last Wednesday and discussed both platforms and candidates. *Sat. 6-7-59*

Although mimeographed ballots were on hand, and were marked by at least some of those present, Turnage said no uniform slate was agreed upon. He volunteered the information that "there was not too much support for (E. F.) Hollings" but indicated that a decision as between the other two gubernatorial candidates, William C. Johnston and Donald S. Russell, was left open. One of the marked ballots from the meeting showed both Hollings and Russell scratched, leaving Johnston (written as "Johnson" on the ticket) as the man selected. *Clinton*

"As to the other candidates," Turnage added, "we will follow a policy of laissez-faire."

The Negro attorney, who is prominent in Republican Party affairs both in Darlington County and the state, said that the Negroes, or the Palmetto State Voters Assn. hold no antipathy toward the candidates because of their advocacy of segregation.

"Things being as they are," he said, Negroes realize that all candidates in South Carolina have to take a position favoring segregation. As a result, the distinctions between candidates are made on other grounds, Turnage added. The candidates' solid stand against integration neutralizes that as an issue. Other factors are determining, he said, indicating that Negro sentiment on many candidates is almost evenly split. Final decisions as to candidates, he said, are left to individual voters, after discussion at the local meetings which are to follow the Orangeburg conference. One such local conference was

scheduled for Columbia Friday night.

Turnage described the Palmetto State Voters Assn. as a non-partisan organization established to provide a forum at which Negroes could discuss common political problems, platforms, and candidates. He said it has organized 32 chapters, with three more in the process. About 95 per cent of the chapters were represented at the Orangeburg meeting, he said, and unofficial reports indicate further that about 34 counties were represented.

The association includes both Democrats and Republicans. Turnage said that most Negroes in the state participate in Democratic primaries for local and state offices, dividing between Republicans and Democrats only in presidential elections.

There is no connection between the Palmetto State Voters Assn. and the Progressive Democrats of South Carolina, an organization formed "within" the Democratic Party some years ago by Negroes who sought thereby to increase their familiarity with party affairs and their participation therein. Turnage said the Progressive Democrats currently have little strength and that only in Horry and Georgetown Counties do the Progressives still operate to the exclusion of the Palmetto Assn. John H. McCray, a Negro newsman, has been the chief spokesman and organizer for the Progressive Democrats.

On Cradles And Politics

City Women Top Men Registering

News-JACK
News and Courier Staff Writer

The hand that rocks the cradle also can shape Charleston County's political course — particularly inside the city of Charleston, S.C.

Women constitute 55.7 per cent of the total registered to vote in the city. On a county-wide basis, they make up 51.6 of the total with most rural precincts having a preponderance of male voters registered.

Spot checks of precinct totals revealed, in general, that a much higher percentage of women register in the city than in the county.

Ward 1, Club 1, in downtown Charleston's old and historic residential area, had the highest ratio of women registrants with 62 per cent. Ladson, comprising a rural precinct just south of Summerville, had a masculine surplus of 57 per cent. North Charleston's No. 2 Club's registration is 56 per cent male.

Edisto Island and Awendaw, both rural areas, reversed the rural trend, however, with more women than men registering. Edisto's women enjoy a 56 per cent majority while the Awendaw registrants are 51 per cent female.

Inside the city Ward 5, Club 2 and Ward 3, Club 1, went against the Amazonian trend as they showed up with male majorities. The Ward 5 club has 57 per cent male voters while in the Ward 3 precinct the men constitute 53 per cent of the total.

Isle of Palms women outnumbered the men by a ratio of 51.4 to 48.6 per cent. At Warren's Crossroads, the county's smallest precinct, males made up 57.7 per cent of the 52 persons registered. In Ward 10, Club 2, one of the city's larger

wards, women held the lead by 54.7 to 45.3 per cent.

Registration Board members report an unusually large number of Negro women have been registering this week. With only today and tomorrow remaining for registering, the board is anticipating a last minute rush.

Mrs. John C. Townsend, board chairman, said the deputies would do everything in their power to handle the expected crowds.

"We anticipate long lines and some people may come too late," she said. "We feel, however, that everyone has had an opportunity to register. The books have been carried all over the county and the newspapers have given exceptionally good coverage," she said.

Registration today can have little effect on the present make-up of the voter population in the county.

When the books close at 1 p.m. tomorrow, Charleston's women will be in a commanding position. The June 10 Democratic Party Primary will be on situation where the women can have the last word — if they go to the polls.

S. C. Registration About Half Million

By DEL BOOTH

COLUMBIA (AP) — It looks as if South Carolina has registered half a million voters, about 70,000 of them Negroes, for the big June 10 Democratic primary.

The estimated registration total is about 40 per cent of those of voting age in the state.

The estimates were obtained by relating figures from reporting counties to the state as a whole.

Total registration of 346,122 from 18 counties with 61 per cent of the state's population was used to obtain the overall probable registration figure.

And racial breakdowns on registration from 12 counties with half the state's population were used to obtain the Negro registration estimate.

According to the 1950 census, South Carolina then had a little more than 54 per cent of its population at voting age. Allowing for a 10 per cent increase in 1950's total population of 2,117,017, the state presumably has 1,263,117 people of voting age.

Negro registration is about one-fourth of what it would be if Negroes registered in the same ratio to population as do whites. About 34 per cent of the total white population apparently has registered, while only about 9 per cent of the total Negro population has done so.

The biggest total vote the state has on record was 340,000 in the 1952 general election, when a strong Eisenhower campaign was run.

Registration is for 10 years, and a new 10 year period has just be-

gun. Only new certificates are good June 10 when the governor's chair and five other contested statewide offices will be up for vote. A second primary, if needed in some races, will be June 24. Primary results nearly always are guarantees of election in this state.

Complete, official registration reports from all 46 counties are not expected at the office here of the secretary of state for another week, at least.

The dozen counties so far reporting unofficial white-Negro registration breakdowns are Anderson, Charleston, Clarendon, Darlington, Dillon, Florence, Greenwood, Greenville, Laurens, Orangeburg, Richland and Spartanburg.

In addition, six counties reporting total registration only are Marlboro, Union, York, Lancaster, Chester and Chesterfield.

The 18 have a reported registration of 346,122 and 61 per cent of South Carolina's 1950 population, or 1,307,385. This figure is a total state registration of 1,400,000.

Voter Registration Books Are Open Until August 15

News-JACK
Charleston County voter registration books will be open through August 15. Qualified citizens may register for the 10-year voter certificate period ending in 1968.

The books are maintained in offices at the County Center (Old Citadel). Hours are from 9 a.m. until 5 p.m. Monday through Friday and from 9 a.m. until

noon on Saturday.
Persons whose new certificates contain errors should obtain corrected certificates immediately, according to Mrs. John C. Townsend, chairman of the Board of Registration. Certificates will be required for voting in the November General election.

S.C. Voters To Be Faced With A Choice Of 9 Amendments To S.C. Constitution

By W. D. WORKMAN JR.
Editorial Correspondence

COLUMBIA — South Carolina voters this fall will be faced with the choice of approving nine more amendments to the already-overburdened State Constitution of 1895.

That venerable document has been amended a total of 227 times since 1900, for it remained in its original form only five years before changes started in its composition. A total of 358 amendments have been proposed to the Constitution through 1956, and this year's crop of nine brings that figure to 367. The voters of the state rejected only 51 of that number, but the General Assembly failed to ratify 80 amendments which had been approved by the voters.

The amending process is a three-part procedure in South Carolina. Amendments are proposed in the legislature in the form of joint resolutions, which must be approved by a two-thirds vote in each House before being submitted to the voters in the next ensuing general election. If a majority of the voters approve the amendments, they then go back before the General Assembly for ratification. If that be done, the amendments then become a part of the Constitution.

The general rule throughout the years has been that the voters approve all amendments submitted to them. The only real revolt against this standing practice occurred in 1924, when the people rejected 47 of the 51 amendments proposed in that general election year. Since then, only four out of the 212 amendments proposed (from 1926 through 1956) were turned down by the public.

In the course of all this amending process, the Constitution has grown to more than twice its original size, and some sections have been increased almost 20-fold in length. Chief offenders in this respect are those sections relating to bonded debt limits upon cities, counties, school districts, and other subdivisions.

Efforts have been made to modernize the Constitution through the calling of a Constitutional convention (the last four governors in a row have recommended such a step) but the General Assembly has refused to agree to such revision by popular participation.

Other proposals for revision have included the appointment of a study commission which drafted its versions (majority and minority) of how the Constitution should be changed, but this has not led to any action. Throughout it all, the Constitution has undergone the continuing process of piecemeal amendment.

This year, that process will be resumed. At the November general election, the voters will be confronted with four statewide and five local amendments. The intent of each of those proposals is summarized below:

1. To amend Article II, Section 4, so that the spouses of teachers and preachers may be allowed to vote after six months' residence in the State on the same basis as teachers and preachers, rather than having to fulfill the normal two-year residential requirement.

2. To amend Article V, Section 20, so that the General Assembly may fix the terms of office for magistrates, now set at two years by the Constitution except where Constitutional amendments have changed the terms.

3. To amend Article V, Section 9, so as to permit increases in the pay of Supreme Court and Circuit judges during their terms of office. Present law prohibits both increases and decreases during a given term of office.

4. To amend Article VIII by adding Section 6-A so as to permit corporate authorities to apportion principal and interest obligations of merged municipalities according to the areas by which the debts were incurred. (This is statewide in nature, but is of most concern to the City of Charleston and its outlying areas in the light of merger talks now being conducted.)

5. To amend Article V, Section 21, so that the jurisdiction of Charleston county magistrates might extend to controversies concerning properties or amounts up to \$250 in value. (The general limitation is \$100.)

6. To amend Article X by adding a new section aimed at permitting assessment of abutting property in Horry county (within five miles of the corporate limits of any municipality) for road and highway paving and improving.

7. To amend Article III, Section 34, so as to permit the elimination of the tales box in York county. (The tales box refers to

a special box of jurors who live within five miles of the court house and who are subject to special call for jury service.)

8. To amend Article X, Section 5, so as to permit Oconee county to incur a bonded property in the indebtedness not exceeding 15 per cent of the assessed value of taxable property in the county. (The general limitation is eight per cent.)

9. To amend Article X, Section 5, so as to permit the school districts of Bamberg county to incur bonded indebtedness not exceeding 10 per cent of the assessed value of taxable property within such school districts. (The general limitation is 8 per cent.)

VOTE LIST DECLINES IN S.C.

By S. L. LATIMER JR.

Editor, The Columbia State
Special to The Journal-Constitution

COLUMBIA, S.C., May 24.—When the secretary of state announced the official voter registration totals this week the figures showed 222,247

fewer names on the new rolls than were on the lists that became void the first of this month!

Here are the exact figures: 1948-58 registrations, 761,162; 1958-68 registrations, 533,915.

(Registration is on a 10-year period basis in this state, and a new period is just starting.)

It must not be assumed, however, that the decline in registrants is caused entirely by the fact that many eligibles did not take the trouble to reregister in time to vote in the forthcoming Democratic primary. The situation is that with the old rolls were supposed to have been purged from time to time, they still had on them names of thousands who had died or who had moved out of the state during the decade. There is no way to estimate the number, but those missing under these categories could account for at least half, or more, of the difference.

This year, as something new, an applicant for a certificate had to state his or her race. But all county boards did not break down their figures thusly in submitting their totals since it was not stipulated that such a report was to be made to the secretary of state. By applying to the whole, however, the percentages in those counties reporting by race, and by using unofficial figures otherwise, it appears that about 36 per cent of those persons registered are white and 14 per cent Negroes. The population of the state is approximately 62 per cent white and 38 per cent Negro. There have been no charges of any discrimination in the registering.

Candidates for various offices, each hoping his friends are the ones who got registered in time, continued their barnstorming this week with two speakings. On Monday night they were at Anderson, home city of gubernatorial aspirant William C. Johnston, and on Friday night at Greenville.

The Week in South Carolina



S. L. Latimer

Gov. Timmerman and several members of his staff attended the National Governors Conference in Miami. . . . Eighteen Globemaster transport planes from Donaldson Air Base, Greenville, took off on short notice for Germany for possible service in the Lebanon crisis. Each of these planes can carry 200 persons or a cargo of 35 tons. . . . South Carolina's "point system" has claimed 4,158 drivers' licenses since it went into effect in revised form in 1955. During the same period more than 41,000 caution letters have been mailed to persons with six points or more. The limit is 12. The system is devised to remove from the road habitual traffic law violators. . . . Another step in the building of the demonstration nuclear power plant at Parr Shoals, near Columbia, was taken this week in the reaching of a preliminary agreement between the sponsoring company (Carolina-Virginia Nuclear Associates) and the Atomic Energy Commission. The matter is still before the Joint Congressional Committee on Atomic Energy which is reviewing the agreement. The capacity would be 17,000 KW; the cost would be \$38,000,000. . . . Both initial and continuing claims for unemployment payments declined slightly in South

SOUTH CAROLINA

Carolina last week. . . . Dates for Lake City's annual Tobacco Festival have been set as July 31-August 1 to coordinate with the tobacco season opening. . . . "Mendel Rivers Appreciation Day," staged by the people of Charleston in honor of their veteran congressman, proved to be quite a success. There was a big parade and also a barbecue. Rep. Rivers expressed himself as "very flattered" by the attention shown him.

The Show Must Go On

Each of South Carolina's 46 counties stages for its local candidates a miniature version of the statewide political caravan. In some instances these meetings are hotter and better attended than those on the big circuit, but generally they are very dull.

The people of York County must have thought a speaking to be held at Hickory Grove, a small precinct, would be of the latter—the uninteresting—type, for, lo and behold, when the time came to start the whoopla there were only eight more people in the audience than there were candidates present! Did the speaking take place? It did. The show must go on—the inevitable barbecue must be sold!

Easier Voter Registration Proposed In S.C. Assembly

News & Courier, Charleston, S.C. P. 1
Wed. 1-15-58
COLUMBIA, Jan. 14 (AP)—Easier

registration for voters was proposed today in the General Assembly as it opened its 1958 session.

House and Senate got bills to make most expiring registration certificates good for this year's June 10 and 24 primaries and the November general election.

The Senate also received bills to enlarge registration boards and their manpower to take care of the rush in the new 1958-68 ten-year period for which reregistration now is in progress.

ASK EXTENSION

Sen. Lawson in the Senate and Reps. Harrelson and Smoak of Columbia in the House proposed that 1958-59 certificates be extended through this year. Present law invalidates them May 1.

Registration boards have been swamped as thousands upon thousands of the estimated 600,000 eligible voters try to reregister in their respective counties.

Sen. Morrah put in a bill to allow the governor to expand boards with up to 15 deputies to expedite registration. Law requires that at least two board members must be present when a certificate is issued.

WANTS FUNDS

Sen. Leppard of Chesterfield came in with a bill to double the approximately \$200,000 appropriated last year for the 10-year reregistration that began in September.

Rep. Clement of Florence, himself blind, offered a bill to make it easier for blind persons to register. Rep. Duncan of Richland put forth a similar bill applying to all physically handicapped persons.

Rep. Blanton of Cherokee came up with two bills, one to allow a person to register for his or her spouse, the other to give deputy registrars, such as Morrah proposed, the same powers as registrars.

SUBCOMMITTEE NAMED

The House Judiciary Committee appointed a six-member subcommittee to consider the entire

House batch of registration proposals.

Sen. Brown of Barnwell offered two bills on registration, one to allow a person coming of age in the 30-day period preceding an election — when books are supposed to be closed—to register ahead of time; and one to allow boards to issue duplicate certificates during the 30-day period.

A measure to pave the way for county local option on legal liquor sales was offered by Sen. Wasson of Laurens.

PROPOSES ELECTION

The Senate dry leader proposed a November election referendum to amend the constitution, eliminating a requirement that state liquor tax money go to schools.

With that requirement out, Wasson said, "The cry 'what are you trying to do, hurt the schools!' no longer will be valid against local option."

The House agreed to begin debate tomorrow afternoon on the 150 million dollar General Appropriations Bill. The bill proposes diversion of the 7th penny of state gallonage gasoline tax to meet an expected 6½ million dollar deficit for 1958-59.

The governor will address a joint assembly at noon on the State of the State.

INTRODUCES BILLS

A special interim Governor's Legislative Committee introduced its seven promised bills, House and Senate, on revising the corporate income tax formula to attract more new industry.

The assembly agreed to visit industrial plants and sites in York County Feb. 5, and the Senate sent the House a bill to give the parole board power to commute sentences other than death or life.

How About You?

Improper Precinct Voting Penalties Are Cited Here

By JACK LELAND

News and Courier Staff Writer

Are you registered to vote in the proper precinct?

If not, your vote may be challenged in the June 10 primary and under state law, you can be fined up to \$500 or go to jail for 90 days.

A check of recently elected precinct officials of the Charleston County Democratic Party would seem to indicate that some party members belong to clubs other than those in whose district they live. S. C. Atty. Gen. T. C. Callison said yesterday that the state code "obviously and specifically requires residence within the precinct limits for at least 60 days prior to a primary."

In the past, voting regulations have been rather loosely construed in some areas. Some persons, for instance, have continued voting in the "old home" precinct although they live in other areas. State law permits that prerogative only to federal, state or county government officials and employees who must live at the capital or county seat. These, and only these, may maintain voting residence elsewhere.

Callison referred to the State Code, citing Section 23-62, which requires four months residence within a precinct in order to qualify for registration to vote in that precinct. He pointed out that Section 23-68 provides that persons being registered must take an oath to the effect that they have lived in the precinct four months prior to registration.

Under state laws providing for political party organizations, Section 23-253 provides that a

member of a club must reside within the precinct boundaries for at least 60 days prior to the first primary.

That section states: "No person shall belong to any party club or vote in the primary unless he possesses a registration certificate. . . and will have resided in the state two years, and in the county six months prior to the succeeding general election and in the club district 60 days prior to the first primary."

Callison ruled on a hypothetical case. He was asked: "What if John Doe possesses a current (ending 1958) registration certificate entitling him to vote in a Charleston County precinct but has moved to another county? Can he still vote in the precinct in which his certificate was issued?"

"The law specifies no," Callison said. "Section 23-76 provides for a voter to notify the board of registration of the county to which he has moved. After checking his registration with the board from may register him. The old registration certificates must be destroyed."

He said the 60-day residence requirement would, likewise, rule out a voter moving to another his former county, the board part of the same county and maintaining his voting certificate in his former precinct.

The Charleston County Board of Registration will keep registration books open until May 10. They will be closed then until after the June 10 primary. A board spokesman urged that all qualified citizens apply for registration as soon as possible. Certificates will be required for the

primary. If they are suspected of being in error, any poll official may challenge the holder. If the challenge is upheld the vote is nullified.



BUSINESS IS SLOW AT VOTER REGISTRATION SITE
No Lines Form As Clerks Wait At Crafts School. (Staff Photo.)

Voter Registration Lags As May 10 Deadline Nears

Only 19 days remain until the days between the hours of 4 and 3 p.m. Carter may be contacted by parish residents at SO 6-6348 after 4 p.m. on these days.

Of the approximately 57,000 eligible for registration here, only 30,847 names were entered on the books by yesterday. White persons registered numbered 25,989; Negroes, 5,858.

In an effort to spark interest in registering to vote in the June primary and subsequent city, county, state and national elections, at least one St. Andrew's Parish resident has offered to transport would-be voters from the parish to one of the two registration sites during the days remaining.

Hours of registration for both boards are 3-8 p.m. weekdays and 9 a.m. to 1 p.m. Saturdays. The final week of registration both boards will be open from 9 a.m. to 5 p.m. daily except Saturday, when the boards close at 1 p.m.

Any resident of Charleston County eligible to vote may register at either board, regardless of its location.

Harry R. Carter of St. Andrew's Parish said yesterday he would operate his car between the parish and the registration site on

SAMPLE *News & Courier* State of South Carolina Charleston, S.C. APPLICATION FOR REGISTRATION

Dated at _____, S. C. _____ day of _____, 19__

I _____
hereby apply for registration as an elector and certify under
oath that:

male
1. I am a female, a member of the _____ race, born at _____
on _____
I reside at _____ Street in the town or city of _____
or _____
on _____ Road in _____
Township or Parish in _____ County. My nearest
voting place is _____ My weight is _____ lbs.,
my height is _____ ft. _____ in, the color of my eyes _____,
the color of my hair _____

- () 2. I (a) will have resided in South Carolina for at least two years, in this County for at least one year and in my voting precinct for at least four months prior to any election at which I will be entitled to vote if a registration certificate is issued to me upon this application, or
() (b) am a minister or spouse of a minister in charge of an organized church in this State, or
() (c) am a teacher of public school or spouse of a teacher and will have resided in South Carolina for a period of six months prior to any such election.
() 3. I am not an idiot, or insane, a pauper supported at public expense or confined in any public prison.
4. I will demonstrate to the Registration Board that
() (a) I can both read and write a section of the Constitution of South Carolina; or
() (b) I own and have paid all taxes due last year on property in this State assessed at \$300.00 or more.
() 5. I (a) have never been convicted of any of the following crimes; burglary, arson, obtaining goods or money under false pretenses, perjury, forgery, robbery, bribery, adultery, bigamy, wifebeating, housebreaking, receiving stolen goods, breach of trust with fraudulent intent, fornication, sodomy, incest, assault with intent to ravish, miscegenation, larceny, or crimes against the election laws; or
() (b) Have been legally pardoned for such conviction.

Sworn to and subscribed before me

this _____ day of _____
_____, 19____

Applicant

Examined and found (not) qualified

Member of Registration Board

Member of Registration Board

Sample Registraton Application Lists S. C. Voter Requirements

Only eight days remain for voters to fill in an application blank similar to this one and qualify for voting in the June 10 Democratic Party Primary. Voter registration books will be open until May 10 at Crafts School (Queen and Lezare Streets in downtown Charleston) and at

St. Andrew's Fire Station No. 1 (Folly Road and Savannah Highway). Hours are 3-8 p.m. today and 9 a.m. until 1 p.m. tomorrow. State law requires registration certificates as a prerequisite for voting in all elections.



How would turn up smaller numbers. McCormick for example, did not have a single colored voter in the registration period which ended May 1, 1958. Registration books closed May 10 and won't be re-opened until after the Democratic Primary June 10 and the subsequent primary run-offs.

Long, Last-Minute Line Of Registrants Seeks Voting Right

Total County Registration Set At 40,136 Unofficially

South Carolina
vote tallied

By WILLIAM CHAPMAN
Staff Writer
A total of 40,136 Charleston County citizens will be eligible to vote in the June 10 Democratic Primary, but unofficially, total announced by the

Charleston County Board of Registrars yesterday as the books were closed for the last time prior to the primary election.

C. Townsend said the count may vary slightly from the figure and the exact number will not be known until clerks have completed tallying the registration books. Included 32,859 white persons and 7,277 Negroes.

Two registration offices open yesterday — one in the city and one in Wadsworth — were crowded with last-minute applicants. At the same time, lines were noted at

both points as would-be voters hurried in to beat the 1 p.m. deadline.

Mrs. Townsend said duplicates of lost registration certificates may be obtained at any time from the clerks in the registration board office. However, no new certificates can be issued prior to the June 10 Primary. State law requires the offices to be closed 30 days before the election. The board offices at Crafts School on Legare Street will be open from 9 a.m. to 5 p.m. during the week.

The board will reopen for issuance of new certificates after the primary. The books will be open on the first Monday, Tuesday and Wednesday of each month beginning in July. This will hold true for all years except general election years when the board will be open for 15 days during both May

and August in addition to the regular schedule.

The daily rate of registration varied widely since the board began the 10-year re-registration program here last September. On some days, less than 100 applicants would show up to register. At other times — notably around the last of the registration period — more than 1,000 persons registered in a single day.

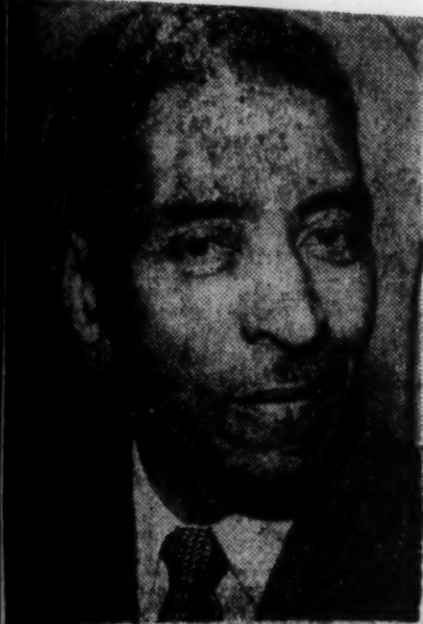
Although yesterday's unofficial figures revealed an apparent apathy on the part of Negro voters, board officials noted they turned out in increasing numbers in the final days. For example, of the 433 persons who registered

yesterday, 210 were Negroes. During the first few days of the registration period last fall, about one-third of the registrants were Negroes.

COLUMBIA, S.C. — With registration for the next 30 day period temporarily halted last Saturday, S.C. colored voters were estimated at "between 80 and 90 thousand," or about 18 per cent of the state's total.

Richland County, with an estimated 8,000, leads the state; Charleston with 7,277, fanks second. Only 324 are recorded in Clarendon County where 3,453 persons qualify. Clarendon has a population of 22,636 colored persons and 9,379 white persons.

While the Clarendon registration was termed "shocking" by civic leaders, indications were that final counts in such other counties as McCormick and Cal-



DR. JOHN L. TILLEY

Tilley Named To Lead Drive Here For Registration

Atlanta's most comprehensive and effective voter registration campaign was heightened this week. The Board of Directors of the Southern Christian Leadership Conference under the leadership of its President, Dr. Martin Luther King Jr., in its Annual December Meeting held at the Ebenezer Baptist Church Education Building, voted unanimously to approve the recommendation

of the Executive Director, Rev. John L. Tilley, that the Conference grant the request of the Atlanta Al-Citizens Registration Committee, headed by Jesse Hill Jr., secretary of the Atlanta Life Insurance Company.

The request asked that the Southern Christian Leadership Conference furnish the director and the assistant director for the Atlanta voter registration campaign, to begin early in January, 1959.

Rev. Tilley, executive director of the Southern Christian Leadership Conference, has agreed to serve as Campaign Director, and one of his aides Miss Judith Fisher, has been named Assistant Director. Dr. Tilley has won nation-wide acclaim for the leadership he gave in the Registration Campaign of

Negroes Citizens in Baltimore, Maryland. In that Campaign a goal of 100,000 registered voters was set. Some leaders of that city called the goal fantastic, but when the total number of colored registered voters in Baltimore as of September 26, 1958 was 101,771. Dr. Tilley is Pastor of the New Metropolitan Baptist Church of Baltimore. He is also Vice-President of the Baltimore Ministerial Union, a city-wide interracial and interdenominational body.

The Assistant director, Miss Judith Fisher, is an Altantan She is a graduate of Spelman College and has pursued advanced studies at the University of Pennsylvania. Miss Fisher also attended Skidmore College in Saratoga Springs, New York. She is the daughter of Rev. and Mrs. A. Franklin Fisher of Atlanta. Rev. Fisher is the pastor of West Hunter Baptist Church.

Dixie's vote denial attempts described

African American P. 9

ATLANTA — Efforts by Georgia Southern states to curb registration laws because "We're not going to have a federal election by colored voters have not been halted, but in many cases have been increased. Other proposals by Georgia since enactment of last year's Federal Civil Rights Act, according to a report released last week by the Southern Regional Council, include the re-imposition of a poll tax, requiring an oath of allegiance to the preservation of the "southern way of life" and denial of the vote to all born out of wedlock, and attempts to improve race relations, called attention to special cases or found guilty of certain crimes or misdemeanors.

In Georgia, Alabama, and Virginia, where they charged that "officials have" repeated declared: "If the (colored people) can command the vote under the civil rights bill, then he can, as a matter of course, get everything else."

In support of its claim, the Council collected and released excerpts from local editorials and published statements of Southern officials during the closing days of debate on the civil rights bill and afterward.

CITED WERE newspaper accounts of the urging of reinstatement of Alabama's repealed cumulative poll tax law by state Senators Sam Englehardt and Roland Cooper as an aid to preserving segregation.

In the same state the then Lt. Gov. Guy Hardwick made a prediction that white people of this state would resort to a total boycott of colored if "Congress passes this outrageous civil rights bill" and the colored people attempt to "avail themselves of its provisions."

"And," he continued "I predict that they will refuse to employ, feed, clothe or otherwise assist (colored people) if the latter insist in disrupting and upsetting our way of life in Alabama."

Other Alabama legislators called for gerrymandering and redistricting counties with heavy concentrations of colored population to keep them from gaining political control. This has been done in the town of Tuskegee and is being attempted in Macon County.

IN GEORGIA Governor Griffin said in August that he would ask the legislature in January

The Right To Vote

(From The Christian Science Monitor)

When Congress was hammering out the present civil rights legislation this newspaper pointed out repeatedly that narrowing its scope chiefly to voting rights by no means meant devitalizing it. People who have the vote and who exercise that right do not long encounter legal discriminations in other areas.

Does the American Negro understand this? Certainly Negro leadership does. And it is striving to get Negroes to register and to vote wherever they succeed in qualifying.

Do those who oppose changes in the old pattern of segregation appreciate this power of the ballot? Indeed they do, Mississippi's Governor J. P. Coleman wrote members of the state Legislature last year.

If the Negro can command the vote under the civil rights bill, then he can as a matter of course get everything else.

The Southern Regional Council has made a survey, documented with news stories from local newspapers, which comes to the conclusion that at least in Mississippi, Alabama, and Georgia there are conscious official efforts to curb Negro registration.

Are these also designed to raise standards for white voters? The council says no, and quotes a Georgia legislator who opposed a new 30-question preregistration test, saying the NAA CP would "school" the Negroes, "But who is going to school the poor white people who can't pass the test?" And it cites a plan drafted by the Georgia Democratic Executive Committee which would require would-be registrants to subscribe under oath to the tenet that the 14th Amendment was never legally adopted, hence is null and void.

Raising the qualifications of a state's whole electorate is one thing, with good arguments in its favor; administering them so as to deliberately disqualify those of a certain race is another. The right to associate or not to associate is one thing; the exercise of which should be left to voluntary choice as much as possible; the right to vote is quite another.

The 15th Amendment pledges to "citizens of the United States" that this right "shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude."

Negro Ministers Push For Voters Commercial Appeal 1,000 Names Bought For Registration Rolls

Memphis Negro ministers will spearhead a campaign this week aimed at adding the names of more than 5,000 Negro voters to the registration rolls.

Dubbed a "registration excursion," the drive is sponsored by the Lincoln League Negro Republican organization.

O. T. Westbrook, campaign chairman, said ministers will urge unregistered members of their congregations to meet at their churches beginning Monday.

Buses furnished by Rev. David S. Cunningham, pastor of Collins Chapel CME Church and Rev. Samuel H. Herring of St. Paul Baptist Church, will pick up passengers at the various churches and transport them to the Courthouse.

A telephone request to Collins Chapel Church (Jackson 5-2872) or St. Paul (Jackson 5-3142) will bring a bus to any church in the city, Lincoln League officials said.

An additional 5,000 voters would push Negro registration over the 55,000 mark. Records show 50,747 Negroes were registered on July 1.

More than 30 Negro ministers over the city have agreed to cooperate in the registration drive. Deadline for registering to vote in the Aug. 7 election is July 18.

Register Now -Avoid Crush

Deadline July 18 - No Waiting Now At Office

NEGRO VOTERS INCREASE

Five weeks remain for Shelby County citizens to become registered and eligible to vote in the Aug. 7 election.

The registration deadline is

July 18 *Memphis Mean*
Takes Few Minutes

Right now, there are no waiting lines at the Shelby County Election Commission office on the first floor of the Courthouse and one can register in a few minutes.

The situation will change as the deadline nears.

As of June 1, there were 183,223 on the registration rolls. Among those are 47,819 Negroes.

The registration peak was reached April 1 of last year with 211,270 names, including 53,651 Negroes.

In the November election two years ago, the total was 210,637, including 53,261 Negroes.

Increased activity has been in evidence at the commission office during the past two weeks. Since the first of this month, an additional 1,395 have registered and 904 of those were Negroes.

Requirements Simple

To be eligible to register and vote in the coming election, one must be 21 years old or more, a resident of Tennessee for a year or more and a resident of Shelby County for three months or more. Becoming 21 on or before Aug. 7 will meet the minimum age requirement.

Those already registered must have their registration records changed if they have moved to a new address or if there is a change in marital status.

Voters participating in the August elections will have the opportunity not only of voting for favorite candidates, but also on proposed constitutional amendments that would lower the voting age to 18 and extend terms of the sheriff and county trustee from two to four years.

Voting Is Heavy Commercial Appeal In City, County

Citizens' Day Hot Weather
To Cast Ballots

Memphis and Shelby County voters yesterday defied hot, humid weather and long lines to cast their ballots for 101 candidates in a general and two primary elections.

At 6 p.m. about 14,000 had voted and there were long lines at most of the 169 precincts waiting to record their votes before the polls closed at 7:30 p.m. The delay was caused by each voter having to use two machines in order to participate in the general and primary elections. At some precincts, the backlog became so heavy that old-fashioned hand ballots were used.

Heavy in Top Races

Indications pointed to the heaviest voting in the senatorial race between Albert Gore, the incumbent, and former Gov. Prentice Cooper, and the gubernatorial race with Buford Ellington, Judge Andrew 'Tip' Taylor, Memphis Mayor Edmund Orgill and Clifford Allen as the four leading candidates.

There were only five contests among the races for Shelby County offices, with candidates backed by the Citizens for Progress political organization favored to win.

There were five independent candidates for 11 state senate and representative posts in the Democratic primary with CP entries the favorites.

United States Representative Clifford Davis of the ninth (Shelby) district was among those unopposed.

No Opposition

All of the candidates in the local Republican primary were without opposition.

Early forecasts placed the total Shelby vote at about 90,000 although more than 202,000 were registered.

The campaigning in Shelby has been spirited, with all of the candidates in the statewide races making repeated visits here in personal appeal for votes. The CP organization has campaigned extensively in behalf of Mr. Ellington and Mr. Cooper as well as the local candidates on its ticket of endorsement.

Voter Prompting Commercial Appeal Is Reported Here

Complaints Are Received
From Five Stations

Complaints that election officials attempted to tell voters how to cast their ballots at five voting stations in Memphis and Shelby County were received yesterday by United States Dist. Atty. Millsaps Fitzhugh.

Mr. Fitzhugh said that George Grider, a campaign leader for Mayor Edmund Orgill, charged that a white election official at Grant School took Negro voters into the voting machine booths and showed them how to vote. Grant School is in Ward 9, Precinct 14.

A judge at Ross' Store complained that another judge and some workers were telling voters which candidates to vote for. Mr. Fitzhugh said Ross' Store is in District 2.

Mr. Fitzhugh said that a worker at Ward 35, Precinct 2, 1482 Jackson, complained that a judge was telling voters how to vote. He said similar complaints were received from watchers at Ward 16, Precinct 3, at Crump Stadium and Ward 23, Precinct 2, at 700 Adams.

"We have been investigating these complaints and will continue to do so," Mr. Fitzhugh said.

"I have had no complaint today of any citizen being denied the right to vote because of race or any other reason," he said. "Neither has there been any complaint of force being used anywhere."

Mr. Fitzhugh said yesterday's complaints were about average for recent elections in Memphis.

The Negro holds the balance of power in the coming election, both governor and senatorial. The Negro vote will make the difference in the defeat or victory for governor and U. S. Senator.

The Vote-O-Rama wants the registration campaign under the Negro to know in advance who he is voting for and what benefit he will receive once the candidate is elected.

In endorsing Candidates Vote-O-Rama will find out:

1. If he is qualified?
2. Can he gather support to win?
3. The Candidate's interest in the Negro's progress in an integrated political society?

After these points are considered, definite commitments must be made to the Negro in response to the race's support and votes.

Vote-O-Rama theme for Aug. 7, 1958, Tennessee election is "Get Out The Votes For the Right Folks."

A state-wide Vote-O-Rama will be held and announcements will be made soon. Persons interested may contact Vote-O-Rama headquarters, 860 Vance Avenue Memphis, Tenn.

Negro Vote Is on Rise In Memphis

MEMPHIS, Tenn.—Negro registrants outnumber whites 164 to 111 when the Shelby County Permanent Registration office opened its doors for the Aug. 7 primary.

The upswing in the registration of Negro voters here has been accredited to the campaign of the Citizens Non-Partisan Registration under the direction of W. C. Patton.

Earlier in the year, Negroes had shown that they were interested in the drive to become registered voters when Mrs. E. Barta, permanent registration officer, said that approximately 50,000 Negroes were on the rolls out of a total county registration of 185,000.

LEADING the campaign is Mr. Patton, who came to Memphis early in May after being engaged in a similar effort for the Alabama State Co-ordinating Association in Birmingham.

A former field secretary of the NAACP, Mr. Patton is an old hand at organizing.

He is directing the present

Candidates To Be Queried On Race

MEMPHIS — F. Estes, attorney and general chairman of Vote-O-Rama, announced that a state-wide Vote-O-Rama campaign will be sponsored by the Veterans Benefit of America here.

Purpose of the Vote-O-Rama is to develop county-wide political leadership in every county where Negroes are residing.

Fayette county and Haywood are counties in which Negroes have never registered and are not permitted to vote.

The Vote-O-Rama will be conducted in both counties to encourage Negroes to register and vote in this year's governor's election.

Vote-O-Rama held its meeting recently at Clayborn Temple and unanimously approved questionnaires to be submitted to the gubernatorial candidates on their positions and support once elected.

It is the Vote-O-Rama's intention to endorse the candidates who give the most favorable answers to the Questionnaires. Negroes in Tennessee are urged to vote solidly for the candidate who will support the Negro's cause.

Problem for Whites

Tennessee Feels Negro Vote Power

WASHINGTON — Whites are worried about the voting power of the Negro as evidenced by the problem created in Tennessee as returns in the Aug. 7 election indicated "single shot" voting is being practiced.

• The "single shot" is the procedure by which members of an organized minority vote for only one candidate in multi-office races. This simply means

Negroes Show Voting Power In Memphis

Memphis--(ANP) --Memphis

Negroes political observers say, may be on the threshold of realizing their potential in the use of the ballot in the border states and increasingly in certain sections of the South. White political forces are watching with apprehension and with shrewd analysis how they may take advantage of the growing power which the Negro will exert at the polling places and it is probable that a gradually increasing acceptance of his right to a place in the political life of communities will emerge.

The vote in Memphis this month is a case in point. The liberal Mayor Edmund Orgill, friend and political ally of the late Dr. J. E. Walker who led the colored Democrats of Memphis, came within an ace of winning the governorship of Tennessee. He got the almost solid Negro vote and a great deal of their vote throughout the state. That fact will not be lost upon smart white politicians in the future.

The Negro vote also elected Judge Hoffman of Memphis whom Negroes universally in this city felt was an honorable man who would give them a square deal. They went strong for Senator Gore who beat off the hateful anti-Negro onslaughts of former governor Prentice Cooper in the race for senator.

The Commercial Appeal, Memphis' largest newspaper recognized the importance of the Negro vote in both the gubernatorial and local elections. It reported, "Analysts recognize several factors which were contributory in the elections. Certainly one of the most significant was the 'single shot' tactics of voters in the predominantly Negro wards where ballots were cast for four men, no more no less. The recipients of this bonanza were mayor Edmund Orgill, Senator Albert Gore, Judge Robert Hoff-

man and S. A. Wilburn, only Negro candidate in the Democratic primary.

"In the case of Judge Hoffman, this source of votes was the margin of victory. It is the first time in the history of Shelby County, at least since Reconstruction days, that Negro voters can claim credit for the election of a judge.

"For Mayor Orgill, the 'single shot' helped keep him in contention for the lead both in Shelby County and in the state.

"The Negro vote Thursday is regarded as the best organized in the annals of local elections, including the heyday of the late E. H. Crump, Shelby political leader, and an estimated 25,000 registered exercised their voting franchise.

"The wide-scale 'single shot' technique forewarns that this minority group can be the deciding factor in any future election, especially when combined with the ever-existing anti-CP vote or any other anti movement which may develop."

Gives His Views on Next Election

Lieut. Lee Tells Key Issues for Negroes

(Special to The Courier).

MEMPHIS, Tenn.—The candidate for Governor with the best campaign plank for reapportionment of the Legislature is the one apt to get the majority of Negro votes, in the opinion of Lieut. George W. Lee, prominent Republican leader.

Lieutenant Lee conceded there will be no Republican candidate, unless one should run as an independent in November, which seems unlikely.

Lee says he does not believe there will be Republican candidates for the Legislature, Congress or other offices in the Aug. 7 primary.

This means the Republican primary, Aug. 7, will be only for the four state committee members, of which Lee is one.

There seems to be little likelihood of opposition for these non-paying jobs.

Lee concedes that the majority of Negroes will probably find it more advantageous to vote in the Democratic primary Aug. 7 so they can vote for a candidate for governor, for legislative candidates, etc.

Lee, with Dr. J. E. Warren, a Democrat, is spearheading a drive to get Negroes registered by Friday, July 18, so they can vote Aug. 7.

There are nearly 49,000 Negroes registered now. Lee says the goal is 60,000. The previous high was 33,327 before those who had not voted were weeded out.

AS A Republican, Lee is hesitant about endorsing a Democrat for governor, but may do so. He



Lieut. Lee

"The minority group is taxed without voice in the Legislature," Lee said. "It does not represent a true democratic picture."

"The Negro's chief interest is not in a candidate, but in a candidate who will subscribe to reapportionment. The reapportionment bill will give the Negro more of the things he needs at this time than anything I know."

"It will give him an opportunity to speak his own piece in the legislature, where he will have a whole state audience."

"Personally, I think the reapportionment bill should be above anything else in the Negro's fight for first-class citizenship. The way is very clear to me. If the Negro is to continue his great work in the nation today, he has to look for leadership from within. Negroes will continue to have white friends in positions of authority. They will always be valuable, of course. But henceforth these white friends will be far less conspicuous than white leadership in the fight in the break-through from slavery."

"THE NEGRO is not going to have the same help in the break-through from segregation. So far as the Negro is really able to believe in his own equality, so far as he will be able to go in opening

wider the door upon the legitimate hopes which our own American citizenry has engendered and encouraged.

"If we don't elect a governor who won't pull his punches in advocating reapportionment, it will become static and lifeless."

In a close race, the large block of voting Negroes in Memphis and Shelby County could decide the governor's race.

Negro Chased From Summerville; Asked To Register—Told To Leave Town

By M. W. DAY

Recently, one of the Senators from Tennessee was charged with saying there was no place in Tennessee where Negroes were denied the right to vote. Maybe Mr. James Selby of Summerville, Tenn., believed what the Senator had to say.

We have information from reliable sources that this Mr. Selby went to the Court House in Summerville which is the County seat of Fayette County, to register a few days ago.

It is our understanding that for this, Mr. Selby was given until October 15, to get out of town.

If this sounds farfetched to you maybe you will be interested in this bit of history.

Following the Civil War, Negroes began voting generally over the State. The Eastern part of the State did not secede from the Union and Negroes in that section of the State were "free Negroes" who were not freed by the Emancipation Proclamation, and had voted and participated in Government prior to the Civil War.

During the Reconstruction days several Negroes were elected to the State Legislature. The last Negro to sit in that body, came from Haywood County, Brownsville, Tenn. about 1907.

The general laws of the State of Tennessee, require registration for voting. In 1951 registration was required in the precinct where the registrant lived, every two years, but in 1951 the Legislature enacted what is known as the Permanent Registration Law, which is Chapter 75 of the Public Acts of 1951.

The Permanent Registration Law allows a citizen to register and so long as he votes in one general election during each biennium and does not change his residence or his name, to be perpetually registered.

The Permanent Registration Law requires a Registrar to maintain an office in the Court House of each County in the State and registration is not confined to any definite period just preceding a primary or election.

Voting by Negroes in Tennessee is not inhibited by any "Grandfather's Clause" or similar restric-

tions against the Negro as an individual or as a group.

Voting is general in primaries and elections throughout the 96 counties of the State, except the three "black belt" counties, where the Negro population exceeds the white population. Hardeman County, Fayette County, and Haywood County are the "black belt" counties.

They begin at the Mississippi line and form an arch between Shelby and Madison Counties in West Tennessee. The Negro population in Haywood County is approximately 55 per cent. In Hardeman and Fayette Counties the population is approximately 67 per cent.

A few Negroes are permitted to vote in Fayette County and Summerville, its County Seat.

Only one section of Hardeman County allows Negroes to participate in the Franchise and that is the section in Hardeman County which was originally the Amos plantation and still retains quite a bit of its "anti bellums" attitude toward Negroes.

In this section of Hardeman County, Negroes are voted, the land owners and political bosses allow the Negroes to register and vote, but they always vote one way (as they are instructed).

No Negro has either registered or voted in Haywood County or Brownsville its County Seat since the racial disturbances in 1940, wherein the bullet riddled body of Elbert Williams, who had voted June 4, 1940 was fished out of the Hatchie River a few days later.

The Registrar's office is in the Court House at Brownsville. Negroes are not permitted to enter the Registrar's office. The office is always guarded by a "burley" police officer.

The laws of the State of Tennessee, makes it a misdemeanor for a Registrar to refuse to register a person otherwise qualified. The Negro citizens are never permitted a police officer or private citizen from stopping or obstructing an applicant from registering.

For several years the NAACP has sponsored an amendment to the voting laws in 1955 the amendment was passed in the Senate but was lost in the calendar committee in the House.

This bill, if passed, would make it a felony for any person to prevent or attempt to prevent any

citizen from appearing, in his own proper person, before the Registrar for registration to vote.

Efficient And Loyal Support of His Negro Staff
Praised By Judge Sam Davis Tatum; Briley vs.
Anglea And Galbreath vs., Weimer, Furnish
Plenty of Argument As To Who Will Come Out
Ahead In April 10 Primary—Globe Urges: Be
Sure You Go And Vote

It will be the day for the County primary. It is called the Democratic Primary, but don't worry if you are not a Democrat on that day or never have been. Better to call it this a Neighborhood Primary, which comes every four or eight years, when we select the "best men" for our City and County governments.

... proud to brag about an eminent religious leader as Dr. Hill, and other members of the Board given to him by Dr. Humane Commission, has exactly the same founder of the National what it takes to be judge of our Publishing Board and also juvenile Commission. The Globe Publishing A Mr. White

Judge Sam Davis YER for Juvenile Court Judge. It
Juvenile Court. Hedidnt work with either the lawyers
our public officials of the city or the general public.
said. "He is loved The people here want men learned

the enemies he has in law to handle their business that made a few enemies comes before the courts. And the four years because he seem to be definite in a belief that to take the views of a person who appears not to have a heart for bad boys and girls as well as and well to do parents, ought not to be preferred over an experienced

It is possible that one candidate for the judgeship against Judge Dews will regret one of his actions when he was a traffic Court Judge here. He fined Mrs. Myers \$50.00 as a parking penalty. Mrs. Myers is leader of the Fisk Jubilee Singers. She got Attorney Looby for her lawyer. He appealed to a higher court and the traffic fine of \$50.00 was dismissed.

Nashville and Davidson County have been noted for many years for the way they regard their judges. Take for instance how long they held on to Judge Chester K. Hart and Judge Charles Gilbert. The only reason neither will not be elected this year is because both are retiring, subject to being called back to the bench in emergencies.

Judge Dews could retire, subject to being called to the bench in emergencies, but that would be extra expense to the county and unnecessary as long as a good judge is able regularly to carry on his work.

According to Attorney Looby the people who elect good men to judge ships ought to regard the fact that they have made a good investment in the election of a fine citizen who holds on as judge and becomes highly trusted for his knowledge of the law, his integrity and fair-mindedness to all.

This is not to say however that the door of hope needs to be closed to other worthy candidates. All should be free to run for high office and get elected if they are able.

The people are required to elect a sheriff every two years but here in Nashville the policy has prevailed to retain a good sheriff in office a longer time. Sheriff Cartwright seems to enjoy the probability of going back into the office he has filled so well. He was chosen sheriff following the death of his highly respected father.

It is fair to repeat that they are going to have hot contest between Attorney Weimer and Mr. Charles Galbreath. They are both seeking the same office for the first time.

Another hot race is likely to be waged between Judge Beverly Briney and Councilman Sanders Anglea. Both are very popular with large groups of people.

Judge Sam. Davis Tatum's office has a greater interest with more

people than any other court. It also has much "pulling power" with large sections of voters of both races. This in one instance is because there is a commendable staff of colored men and women connected with the Juvenile Court.

The **Globe** does not have at hand the entire personnel. It does have knowledge of the work being done by Mrs. Christine Clark Brown. She is the wife of Dr. Brown, druggist, and is the granddaughter of the noted Baptist leader the late Dr. C. H. Clark, former pastor of Mt. Olive Baptist Church. And there is Mrs. Vernell Henderson, graduate of Tennessee A&I University who was recommended to Judge Egan because of her efficiency as a stenographer, by President Walter D. Davis.

Judge Tatum speaks highly of his staff, as to their loyalty and efficiency. Mrs. Henderson got considerable of her skill as a stenographer when she was serving as secretary to Attorney Looby.

Snaring some of the good jobs of his office with competent colored citizens is quite an asset for candidate when he seeks re-election to his office. It is reciprocity, colored voters say, in teaching way thy vote for Judge Tatum.

In truth, "the way grows brighter in Nashville for colored citizens generally. It is a reason the Globe says, regardless of how you are going to vote, be sure you take the pains to show you are a good citizen by casting your vote in all elections."

June 17 Set for Decision on Merger of 2 Counties— Details of Proposals

Special to The New York Times.
NASHVILLE, Tenn., April 18

—Nearly 130,000 voters are expected to be eligible to decide June 17 whether the Nashville and Davidson County governments should be merged into a single unit.

The referendum date was fixed by the County Election Commission after a special commission filed a proposed charter under which the new unified government would be

operated. The special charter commission of ten members spent more than a year drafting the 500-page document.

To put the new government into business will require approval of a majority vote within Nashville and in the county outside of the city. 2-26-38

This is the first attempt at a city-county merger in Tennessee since a limited constitutional convention in 1953 opened the way for governmental consolidations. Unlike attempted mergers in St. Louis and Miami, where a new government on top of the existing city and county governments were proposed, the Nashville plans seek to abolish the city and county governments in so far as this is possible under the present state constitution.

Election Would Follow

If the charter is ratified, an election will be called to choose officials for the new metropolitan government. The voters then will name an executive, to be known as the Metropolitan Mayor, and a council of twenty-one members, fifteen of whom will be elected from councilman districts and six at large.

The Council will assume legislative functions of the present twenty-two-member Nashville City Council and the fifty-three-member County Quarterly Court which is a legislative body of sorts. Into the Metropolitan Mayor's office will be consolidated the functions of the Nashville Mayor plus those of the numerous boards and bureaus which administer the county government.

The plan calls for the county to be divided into an urban services district and a general services district. The urban district originally will include the present city of Nashville but it will be expanded as municipal type services are extended.

A higher tax rate will be collected in the urban district, and this rate will be extended as the district expands.

Negro Leaders Meet; Map Vote Plans

Negro political leaders from the Big Four cities of the state met here last Saturday to make preliminary plans for the forthcoming August primary elections, and to discuss the role the Negro voters of the state will play in these elections.

Representatives came from Memphis, Chattanooga and Knoxville, while a number of Nashville political leaders were hosts to the conference. *See 5-23-58*

While complete details of the plans have not been announced, a spokesman for the group announced that the group was interested primarily in seeing that every qualified Negro voter in the state exercise his franchise.

It is the desire of the group, the spokesman said, to get the Negro voter to vote, and to vote for those candidates who are most prone to upholding the rights of the Negro as they are accorded to all citizens by the Federal Constitution.

The meeting was the fore-runner of a series of other conferences which the group will hold between now and election time, the spokesman said.

"We intend to encourage Negro citizens to vote, while at the same time, we intend to acquaint them thoroughly with the main issues in the forthcoming campaign," the spokesman said.

SEGREGATION IS VOTE ISSUE FOR SO. AFRICANS

Nationalist Party Gets Test April 16

JOHANNESBURG, South Africa, May 8 [Reuters]—South Africa's general election on April 16 will decide whether the Nationalist party government, which has been in power for 10 years, will have another five-year lease of life.

It is the first statutory election since 1953 and will be an essentially "white" election. The Nationalists will, as in the past, be challenged mainly by

the opposition United party. ing the campaign as a test of his strength after his prolonged illness.

While the United party is campaigning with confidence, the minister of justice, C. R. Swart, who has been deputizing during the illness of Prime Minister Johannes Strijdom, has declared that he stakes his reputation on the Nationalists being returned to power.

Want Separate Grouping

The issue is a simple one. They both are agreed on the need for continued white supremacy. But they differ in their policies.

The Nationalist party is determined to go ahead with its policy of segregation, which means separate grouping and development for the three main racial groups in the country, white, mixed races known as colored, and African Negro.

The United party wants to retain white leadership with justice to the colored and African populations. It will scrap what it considers "highly discriminatory" acts put on the statute book by the Nationalists.

Another bone of contention between the two parties is the senate.

In 1955, the senate was enlarged to 90, almost double its former size, and most of the new senators were nominated by the Nationalists. This "rigging" of the senate, as it has been called, adds more than \$280,000 to the costs of parliament.

Republic Not an Issue

While the Nationalists have refused to be drawn out on intentions so far as the senate is concerned, the United party has made clear that it will reduce the senate to 50.

The question of the establishment of a republic will not be a direct issue. Strijdom, however, has said that the number of votes cast for the Nationalist party "will serve as an indication of the readiness of the people to accept a republican form of government."

The main voting strength of the Nationalist party is in the farming regions.

Strijdom plans to make a number of key speeches dur-

Nashville To Vote On Joining County

By W. D. WORKMAN JR.

NASHVILLE — This Tennessee capital city and its home county (Davidson) are planning an administrative merger aimed at achieving the efficiencies, economies and improvements of a single instead of a duplicating government.

The voters of both the city and the county go to the polls June 17 in a referendum to decide whether a new charter will be adopted for a combined municipal-county operation. The prospects for approval seem good at this juncture, for there has been little or no organized campaign of opposition and both Nashville papers, the Banner and the Tennessean, are in a rare state of agreement over the desirability of the proposal.

Basically, the plan involves the elimination of overlapping and duplicating governmental services. The City of Nashville, with a population now pushing the 200,000 mark, will surrender some of its municipal identity and become instead the hub of "The Metropolitan Government of Nashville and Davidson County." The seven other incorporated municipalities in the county will retain their corporate identity as separate towns until such time as they decide to come into the metropolitan area government.

The chief impact of the new plan will be felt in those areas of the county which are not now incorporated, but which are growing rapidly and are feeling growing pains. Upon adoption of the combined metropolitan government, those areas will begin receiving the benefits of law enforcement, zoning, courts, traffic planning and control, education, health services and a number of other services which will be rendered uniformly throughout the county. At the same time, they will contribute taxes toward and receive the advantages of such countywide facilities as hospitals, jails, parks and recreation, library, auditorium, airport, public housing, urban redevelopment and others.

All these things will be provided throughout the entire county (except for the municipalities which retain their separate identity)

through a county-wide tax levy. In addition, there will be a special levy for that area designated as the "urban services district" which initially will include the present city of Nashville but which will extend outward as finances and public approval permit. In this district, the additional services of water, sewerage systems, garbage collection, fire protection, street lighting, street cleaning and other city functions will be provided.

Two principal arguments are being advanced in favor of the merger, one aimed at the county residents, the other at the city residents. The first contends that the county folk will begin receiving badly-needed services at reasonable cost. (One part of this argument involves the fact that money paid for garbage collection, sewer service and other municipal functions will be classed as taxes and thereby deductible from federal income taxes, whereas money paid for those same services by way of "fees" to private concerns are not so deductible.)

The city residents are being told that they will benefit by having the county residents carry their share of such installations as airport, auditorium, and so forth, and that the growth of industry in the county will bring in additional taxes for the entire county.

The Case For Negro Voting

Politics is a hard game, a practical activity, in which there is little room for sentimentality or soft thinking. Candidates announce, and then campaign for election, in the hope of being elected. For themselves there are jobs involved, opportunities for prestige and profit off the job, opportunities for future advancement in politics or in private industry. For their backers there are other things involved including jobs, influence, prestige, and other benefits some of which are not readily seen.

Getting elected to any job, from constable to president, is no easy task and requires organization, money, ability. Involved is a tremendous selling job in which personalities, programs, promises, and platforms play their parts. The focal point toward which all of this is beamed is the voter. It is the voter who gives the job to the aspirants, the voter who insures the needed majority. It is the voter, multiplied by the thousands, who makes the party, who makes or breaks the machine. The candidate's success is in direct proportion to the amount of appeal they have for the people who vote.

This means, of course, that, in the final analysis, the character and direction of growth of any segment of government depends upon the expressed will and desires of the people who vote. Parties make platforms, candidates make pledges, factions outline programs all on the basis, and in the hope, of appeal to the majority of voters.

Negroes have been at a disadvantage, particularly in the South, because they have been on the unpopular side of many questions with emphasis on those involving segregation. In segregation legality and morality have been on the Negro side, but popularity has been on the opposite side. Politicians, and, thus, government, must court popularity or be supplanted.

The Negro opportunity is to use his vote in such a way that popularity (majority strength) can be shifted so that government can safely implement legality and morality. To do this every Negro must, first, be a voter.

Prepare To Vote

When this is published there will be only a few days more than two weeks left before Texans will go to the polls in the Primary election to select a whole array of new officials. It is to be hoped that Negro Texans (who are eligible to vote) are preparing to turn out on primary election day to cast their votes along with other Texans for the candidates of their choice.

From the point of view of Negro progress in the state it is particularly important for every Negro, holder of a poll-tax receipt or an exemption certificate,

to vote in this primary election and in the general election in November. A massive turn-out of Negro voters will inevitably tone down the vehemence of segregation politics in the state in future elections as candidates eye the "Negro vote". The converse is equally true. A small and ineffectual Negro vote is bound to be interpreted by future candidates as evidence that this vote need not be taken into consideration in formulating programs and platforms, or in planning election strategy. The net result will be an intensification of "segregation politics" as future candidates seek to garner segregation votes while they ignore the vote potential of Negroes.

During previous state and national elections of recent years, the Negro vote in Texas has generally been tied to the Liberal Democratic faction. This faction, however, has failed to live up to the expectations of Negro Texans. The consequence of this failure is the very real probability that Negro voters in the coming elections will cast independent ballots uninfluenced by factional considerations. If this independent vote can be a large one, it might go far toward revolutionizing the approach of the professional politicians toward Negroes, whether those professionals are identified with the Liberal or Conservative wing of the party.

Local Dems Goof, But Tension Less Survey Indicates

HOUSTON — A summation of the state vote in Saturday's primary shows that Senator Yarborough beat Contestant Blakley 701,000 to 497,000; Governor race, Daniel got 741,000 votes against Greenhill; Lt. Governor race, Ramsey won 709,000 to 400,000. In Harris County liberals elected the Democratic county chairman by an overwhelming vote. It also seems that the liberals won 135 seats to 117 for the conservatives on the County Executive Committee.

Monday it looked as though Agriculture Commissioner White with a total vote of 535,000 would have to go into a runoff against Contestant Griffin, who had 291,000. In the race between Judge Ewing Werlein and Warren Cunningham for County Court-at-Law No. 2, Judge Werlein swamped Mr. Cunningham with a vote of 60,000 to 42,000. In the race for county judge, it seems certain that Bill Elliott will be in the runoff with

little too few to save him from facing a runoff with J. Edwin Smith, who had 283,000, plus the other Supreme Court, Incumbent Judge Daniel got 741,000 votes against Greenhill, posed out Judge Sarah Hughes, Contestant, by 538,000.

It looks as though Robert Baker will have to enter a runoff with Charles Murphy for the Senate seat, with Representative with 43,000, will face Sears McCarleton Moore having been eliminated in the primary.

Welch. It looks as though W. D. Miller will be in the runoff with Troy I. Crawford for the county clerk's position.

V. V. Ramsey got a total majority over all three of his opponents for County Commissioner, Precinct 2.

Looks like Wendell Odom cinched the position for Judge of County Court-at-Law No. 3 with a vote of 62,000 over Walter S. Hart, who had 36,000. It was just about as bad for County Court-at-Law No. 4, where Jimmie Duncan seemed to have swamped Harry Jarvis with a vote of 63,000 to 26,000.

The old stalwart, Justice of the Peace Tom M. Maes, is still unbeatable and swamped a whole grove of contestants to win without a runoff.

SENATE AND HOUSE

It looks as though Robert Baker will have to enter a runoff with Charles Murphy for the Senate seat, with Representative with 43,000, will face Sears McCarleton Moore having been eliminated in the primary.

For State Representative, position 1, Dean Johnston will have to meet Dr. Ira Kohler in the runoff, Johnston having only gotten 40,000; Kohler, 32,000, Spiller's 47,000, for a clear victory and the eliminated Sherman, 27,000.

For State Representative position 2, Bob Eckhardt nosed out Mrs. Harry A. Turner for first position with only 36,000 to her 35,000. With two other candidates in the race, they will naturally have to fight it out in the runoff.

It looks like Clyde Miller, the incumbent, State Representative Position 3, will have to go in the runoff against Donald K. Shipley, as a matter of fact Shipley had 28,000 to Miller's 26,000, but there were four other candidates in the race, preventing a majority.

Bill Kilgarlin was one of the lucky ones, winning over Paul Floyd by a vote of 48,000 to 40,000 with just two of them in the race for State Representative, Position 4.

Representative J. E. Winfree Sr. was also a lucky one, winning over Jack E. Farmer

56,000 to 39,000, with just two in the race.—State Representative, Position 5.

But when we get to Position 6 the pattern goes into vogue again with Roger Daily being obliged to face George Echols with their respective votes 30,000 to 26,000. But there were two other candidates in the race, getting a total of nearly 40,000 votes, which prevented a straight victory.

In Position 8 J. C. Whitfield, top man with 31,000, will face Tom Norman, second highest, with 24,000, while Charles Foster with 22,000 and John J. Herrera with 16,000 were eliminated.

LOCAL COURTS

J. W. Mills won a clear victory over his competitor, Robert Lee Lowry, with a vote of 53,000 to 42,000, this contest was for Judge of the Court of Domestic Relations.

In the 55th District Court Walter E. Boyd, running in the lead with 43,000, will face Sears McCarleton Moore having been eliminated in the primary.

For State Representative, position 1, Dean Johnston will have to meet Dr. Ira Kohler in the runoff, Johnston having only gotten 40,000; Kohler, 32,000, Spiller's 47,000, for a clear victory and the eliminated Sherman, 27,000.

For the 125th District Court Lewis Dickson got 49,000 to John Spiller's 47,000, for a clear victory in a race limited to two.

The liberal Democrats elected Woodrow Seals in a walk-away position of 55,000 votes to Ed Stumpf's 41,000.

The County stadium bond issue won better than 3 to 1 with a score of 79,000 to 24,000.

The County Hospital was voted into the Medical Center by a rather narrow margin of 41,000 to 38,000.

SOME FACTS

More Negroes voted in Saturday's election than had voted before in Harris County. Like wise, about 10 per cent more Negroes bought poll taxes by the close of January than had bought them before.

Fewer whites voted in Saturday's election than were expected or that voted on similar issues in 1956. Also, whites bought fewer poll taxes in January than they had bought before.

The race issue appeared less frequently in the campaign. It

was less boldly and less viciously put out when it did appear in the campaign. There was no election in which the race issue was held to have been decisive between the candidates.

While Negroes voted again overwhelmingly for certain candidates, they showed in this election a marked tendency to weigh candidates, going in some cases to the point of voting for conservatives.

There was still a large number of Negro leaders who followed blindly the position of the loyal Democrats, or DOT, on all the candidates, but there was also a very encouraging and growing minority who made their choices independent of DOT, or the loyal Democrats.

DOT, the loyal Democrats, and labor never did succeed in explaining satisfactorily to Negroes or to Mexicans why they did not support Senator Henry Gonzalez for the governorship.

The campaign of DOT seemed all the way through to have personified the one aim of re-electing Senator Yarborough, and to have worked on the candidacy of others as merely incident to that main goal.

SOME INTIMATIONS

It's ironical that DOT (and-or the Loyal Democrats) in this campaign, where they have had their biggest gain at the polls, seemed to have shown the seed of their own destruction, imbedded in their plan of action. One of the remaining sources of substantial votes lies in the Latin - American population, which up to date has not qualified for voting. Certainly, the Negro vote is increasing and growing more than any other element in our community at present.

But DOT made it crystal clear that a Latin-American and a Catholic, is too much for them to swallow. Unfortunately, practically all Latin-Americans are Catholics.

DOT insisted on offering the Negro adherents of the liberal group no choice except Yarborough, who has publicly stated that he is against "forced commingling of Negro and white children in our public schools," and has left that statement standing since 1954 and still runs on it in every election in the Eastern part of Texas.

There was some open defection from DOT's position, in the sense that some Negroes and some Mexicans resented DOT's narrow, bigoted attitude so much that they would not vote for Yarborough at all. But the issue there was not as clear as it is likely to be in the future, because Blakley, Yarborough's opponent, was as big a racist as Yarborough's statement had made him to be. We believe that more and more Negroes and Latin-Americans are learning to "tell what time it is" for DOT's difficulty is that it is themselves.

composed of different elements having special interests and special aims, instead of DOT's adopting central, fundamental programs and principles. It tries, like Dulles, to adjust itself to each crisis as it comes, without any well-planned program or policy.

TENSION IS LESS

Thoughtful analysis of the vote in the primary suggests inescapably that tension between white and black is far less than many of the columnists and editorial writers have made people believe. One, it is to be noted that the demagogues got little attention and aroused nobody on the race question.

Next, it is to be noted that the conservatives actually got less votes this year than they did on the same ground and the same territory in 1956.

On the third count, wherever the demagogue was bold enough to try to bring in the race issue, he tried to make it respectable by referring to it as the NAACP and the Urban League, or talked of States Rights and of the Supreme Court overturning the "rightful law." They don't dare in public now ask whether white audiences want their daughters to marry a "N----."

All this adds up to another clear indication that the Citizens Councils, the Minute Women and rabid segregationists, like the old granddad lions, beaten, broken and weary with age and pain, they roar and roar, frightening the unknowing and the innocent.

Leaders of DOT gambled that things are today as they were 20 years ago, and that they will be the same 20 years from now. Not only are things not the way

they were 20 years ago, but they are a long way toward having made a complete evolution in the 20 years gone. As "race" goes out of the campaign, Negroes will be voting for men and issues all over the lot, so far as parties and factions are concerned.

What Is Bloc Voting?

By Arthur J. Witty

Much has been written about "BLOC" voting in America. It means different things to different people, depending upon what one's concept is, what his class, race or financial status is. This then, would mean through what color of glasses he is looking at the problem.

Bloc voting is nothing new in America. It had its beginning in the "Mayflower Compact" with the election of John Carver as Governor of the Plymouth Colony in 1620. The issue here was to have a symbol of authority and power in the hands of a few. Out of 32 male adults aboard ship, 41 voted for John Carver to rule and establish equal laws for all men. This first election where voting took place in the new world was carried out in the cabin of the ship. The issue was to establish a symbol of authority and power in the hands of a few. Out of 32 male adults aboard ship, 41 voted for John Carver to rule and establish equal laws for all men. This first election where voting took place in the new world was carried out in the cabin of the ship.

Man has always known that a symbol of power, established by authority, is just what is needed for good administration. The symbol of power was necessary to maintain order and authority in the new world. The symbol of power was necessary to maintain order and authority in the new world. The symbol of power was necessary to maintain order and authority in the new world.

Man has always known that a symbol of power, established by authority, is just what is needed for good administration. The symbol of power was necessary to maintain order and authority in the new world. The symbol of power was necessary to maintain order and authority in the new world. The symbol of power was necessary to maintain order and authority in the new world.

ing of interest among people. It was during this period that the Negro became the object of Southern groups the government commanded by them rejected, displaced, denied, deprived, and disfranchised so thoroughly the Negro people by unjust laws until it forced him to live in a world separate and apart from other Americans, they held the Negro as a pawn and those unsuspecting whites who proposed to know what was best for the Negro robbed him of his self respect. We have been so thoroughly shut out of the main stream of American life until the citizens as a whole hesitate to accept us as human beings. Such hostility give us a common bond of interest with all of our color and kind which can be found in many racial groups, but economically deprived as we have been.

Thus bloc voting is nothing more or less than a grouping of one's interest with others to obtain a desired goal in our political life, and it is nothing for the Negro to be afraid of, or to deny. The whites originated bloc voting and backed it with millions of dollars and thousands of political workers to carry out their plan of coercion. Unless we want to be hypocrites, we should tell the American people the naked truth, there is no such thing as an independent voter. He is influenced by the National State, County and City governments school systems, Corporations giant industries and employers. Thus personal friends from the beginning to the end. Our political system demands it. It is a cardinal principle of all Political groups and parties. In many cases a voter is told directly who, and what major issues to vote for, this is not even a secret to the State

employees, the City of Austin or the School Board authorities.

No one who has ever tried to help create a new social order will claim independence as a voter, no one who has worked at bettering our political situation will claim that there is any danger for any citizen whether he is in or out of politics. It is a nice thing to talk about, but when it comes to the hard fact there is nothing to it but talk. Life is entirely too complicated to be independent any longer. Trust and belief, there can be no political parties as less there is a grouping of votes based on common interest such strong enough to run a government such as we have in America. In any matter what will have to group if you prefer to call it Negroes votes with others based upon the issues the candidates and the circumstances to be successful, and this calls for a decision on the part of the leaders who keep up with the issues and pass the information along to the voters in accepting responsibility for our future direction in this highly complicated scheme of things.

It may be well for our friends to remember the point made during the discussion on the Declaration of Independence, unless we all hang together, we shall surely hang separately. I may say in closing there is quite a bit of difference in bloc voting, and being block headed. In response to my friend, Ronnie Dugger, I say, no sir, this large bloc of votes shall never be left alone to be scattered by the wolves, they shall have both information and direction.

They have had two or more conferences with all of the candidates with the exception of one, this candidate has spoken out in clarification her attitude as relates to Negroes in more than one or two ways, both public and private. For this and many other reasons Mrs. Lightfoot was not invited, neither did she ask for a meeting with the Goodwill Council. The council had no objection to having her appear before it but did not believe that she would avail herself of this opportunity if invited. Inbetween the Liberal and the view of these and other facts the Goodwill Council could not under any circumstances recommend her to the citizens for support. The Negro Goodwill Council is on record as supporting and working for the election of Mayor Jimmie P. Cokinos for reelection for mayor and W. W. "Bill" Selman as councilman for Ward 2, at the election to be held Saturday, March 25, 1958.

The Goodwill Council urged every citizen to pay his or her poll tax or secure an exemption certificate in order that they would be eligible to participate in the elections of 1958 as they will be many and varied.

TEXAS

Go To The Polls And Vote Saturday

It is highly important that every citizen exercise their constitutional right by going to their voting poll and voting in the City Democratic Primary Saturday.

There should not be any excuse for not participating in this election for the nominee in the primary is equivalent to election; according to our Texas politics where a one party rule holds sway. A large segment has depended almost entirely on the judgment of the Negro, Goodwill Council for guidance and direction in elections in Beaumont. The citizens believe in the Goodwill Council and have the utmost confidence in the judgement, honesty and dependability in the leaders of this organization.

They have had two or more conferences with all of the candidates with the exception of one, this candidate has spoken out in clarification her attitude as relates to Negroes in more than one or two ways, both public and private. For this and many other reasons Mrs. Lightfoot was not invited, neither did she ask for a meeting with the Goodwill Council. The council had no objection to having her appear before it but did not believe that she would avail herself of this opportunity if invited. Inbetween the Liberal and the view of these and other facts the Goodwill Council could not under any circumstances recommend her to the citizens for support. The Negro Goodwill Council is on record as supporting and working for the election of Mayor Jimmie P. Cokinos for reelection for mayor and W. W. "Bill" Selman as councilman for Ward 2, at the election to be held Saturday, March 25, 1958.

The Goodwill Council is just as persistent in seeing that you

go to the polls Saturday and vote. Vote for the candidate of your choice but be sure to vote. The polls are no farther than a call to any of these telephone Exchanges for all area:

TE 28791, 34816, 20293, 37601
52018, 3-8656, 3-5399, 3-6830, 3-493
- 8700, - 9122. This is only a few of the numbers that will be available for such courtesies.

Get Votes To Polls-Cast Intelligently

By CARTER WESLEY
HOUSTON — Negroes have a golden opportunity to do a good job for themselves, their counties, and their state by getting their votes to the polls and casting these votes intelligently.

The record shows that Negroes increased their potential vote by getting around 10 per cent increase in the number of qualified voters. In the light of this opportunity if invited. Inbetween the Liberal and the view of these and other facts the Goodwill Council could not under any circumstances recommend her to the citizens for support. The Negro Goodwill Council is on record as supporting and working for the election of Mayor Jimmie P. Cokinos for reelection for mayor and W. W. "Bill" Selman as councilman for Ward 2, at the election to be held Saturday, March 25, 1958.

The record shows that of 138 precincts that voted solidly liberal in 1956, there are now registered 184,000. But of the 123 precincts that voted conservative there are registered 147,000 votes this year.

Now within those two figures there are 46,000 Negro votes this year as against 42,000 in the 1956 registration for Negroes. It is a matter of simple arithmetic to see that if Negroes shift around as between candidates, they can bring about the

election of many candidates over the state.

A PRACTICAL POSSIBILITY

But we are talking about the total possible votes now above, now let's have a look at the actual vote in 1956 in Harris County and see what can happen in 1958, based upon those figures. In Harris County in 1956 Yarborough got 49,600 of the liberal votes; and Daniel got 49,286 of the conservative votes; Yarborough got 21,776 of the so-called conservative votes, and Daniel got 20,277 of the

so-called liberal votes. In the 36 boxes that were practically solidly Negro boxes, 14,177 Negro votes were counted. Adding the Negro votes that were scattered through the so-called white boxes over the city, we'd estimate that probably 18- or 19,000 Negroes voted in all in 1956. Add to that number the 4000 increased registration of Negroes now as against 1956, and we'd have about 23- to 24,000 Negroes that would vote on the basis of the same percentage that voted in 1956. A glance at the division of the vote in 1956 in the gubernatorial campaign will show that a shift of those 23- or 24,000 Negroes votes will affect the gubernatorial election, and any other election, so far as this county is concerned.

The general principle will apply to a lesser degree throughout the state, and in very similar degrees to some sections where Negroes are in large numbers. GOAL: MUTUALLY BENEFICIAL

But there is a catch. In fact, there are two catches in the thing. One, Negroes must first wake themselves up and realize that they are not owned by the Liberal party. Union with the Liberal party is only valid to the extent that the union exists for the mutual benefit and the mutual support of the causes that Negroes and Liberals may share in common.

The fact that we may look upon certain candidates with mutual disapproval is no proof that the things that Negroes should vote for are identical

with the things that Liberals are voting for and working for.

In 1954 Yarborough publicly said that he was against "white & Negro children commingling in the schools." Most Negro leaders are sworn not to support anybody, who is openly and brazenly for continuation of segregation of schools. But because the Liberals wanted to vote for Yarborough, many of our leaders closed their eyes and held their noses, while they voted with the Liberals for Yarborough in 1954 and again in 1956.

MASSSES BETRAYED

In 1956 Negroes again followed the Liberals, when they attempted to make common cause with Lyndon Johnson, Price Daniel, et al. Also in 1956 the Negroes in Harris County slipped furtively into the hole behind the Liberals in the school board election, and took a humiliating trimming, because the Liberals did not have the courage to furnish leadership for the things which they professed to believe in.

In my view, in each of these instances the Negro leadership handed their and their followers' vote to the Liberals, together with a rubber stamp, to be wasted. One, they helped elect Yarborough to the Senate and what have they gotten from it? What more has Yarborough done for Negroes than Blakely did before him? Two, Negroes got themselves and their followers' wings clipped by the shrewd Johnson-Daniel et al. combine, along with the Liberals. Three, Negroes took an ignominious beating from the Conservatives in the school board race, along with their scary Liberal friends.

I like the Liberals over the Conservatives, but it's time that the Negro recognized that his vote has substantial value, and began to speak up to the Liberals, and insist that the Liberals stand forth and be leaders, if they want Negroes to combine with them and work with them.

GONZALEZ A SYMBOL

In the current election, Negroes must recognize that Henry Gonzalez is a symbol of minority groups generally, even though he is legally classified as Caucasian. Now if the Liberals are to endorse the things that

Gonzalez has stood so prominently for, how in heaven's name do Negroes expect that the Liberals will ever stand up for their rights?

But the worst part of the Gonzalez thing is that some of our Negro leaders are echoing the tripe that the Liberal leaders are saying as to why they did not endorse Senator Gonzalez. Henry Gonzalez walked the gauntlet between all of the Dixiecrats in the Legislature and the Governor's Mansion for the things that Negroes say they are fighting for now. If our Negro leadership is afraid to stand up and tell the world that they are for Gonzalez, whom will they support and whom are we to expect to trust or believe us in the future?

He who would be free must be willing to fight and to die for freedom, if necessary. Here it is feared that our leaders will not even have the courage to stand and speak up for the right and to stick to what's right, as a minor step toward freedom. Negroes of this state owe Henry Gonzalez more than the Latin-Americans owe him, and more than the Catholics owe him. They certainly owe it to him to tell the Liberals to go jump in the lake, so far as publicly endorsing and supporting Henry Gonzalez is concerned!

BRING LIBERALS TO TAW

Our leaders have such great faith in the Liberals. But the Liberals are playing politics, and politicians never face up to any difficulty or hardship unless they have to. It's time that our Negro leaders faced the Liberals with the hard proposition that they must deal fairly and squarely or lose the Negro vote.

We have said before, we say again, as long as Negroes let any politician kick them in the teeth, and then turn around and grin in the face of the kicker, they will continue to get kicked in the teeth.

In the First World War Negroes buried their fight for equality and concentrated with the rest of the nation to fight the enemy. When the war was over Negroes were where they were at the beginning of the war, so far as their rights were concerned. But in World War II, when they were asked to do the same, they told all and sundry that they would fight the enemy,

but they were going to fight for their rights here at the same time and just as hard. They got a lot of consideration when they faced the government and all the other people with that stubborn, hard fact.

We want to work with the Liberals, but on a 50-50 basis that is not "one horse against one rabbit." Please, let's not settle for less than "one horse and at least a colt."

THE SECOND CATCH

The second catch in the Negro's being the real balance of power in the coming election lies in the ability of the leadership to get the vote to the polls in the coming election. That's a job for all and sundry, and we should be working at it now.

I want to say frankly that I believe the best chance that we have to get 80 to 90 percent of our potential vote to the polls lies in our leadership's standing up for the right, announcing it, and telling the people to make it live in the people they vote in office.

A battle cry, to the effect that "We will go to the polls and hang the haters and the Citizens Councils to a sour apple tree," would bring out more of the latent vote than anything else that could be done.

This could only be done effectively by personifying the issues, we are for, around the candidates that have the courage to stand forth on the platform of serving everybody equally.

12 YEARS LOST

After 12 years of the ballot in our hands, what progress have we made in the Democratic party as people and as actually a part of the party itself? Several of our people get elected to the convention, one or two get elected to a committee, and our leader cautions us to be patient and be satisfied with what we've got. Truth is that it probably isn't the voters that are amiss, it's the leaders who are giving them nothing to go to the polls for.

All of those ambitious boys in our group, who are anxious to be counted as kingpins in the Democratic party, will find that they will reach their goal quicker when they lead the people into standing up for their rights, and openly standing behind principle, than they will ever do

skulking around, selling out the people's vote for a mess of pottage.

Death Of Democracy, II

Journal & Guide
 THE "blank sheet" registration bill introduced in the current session of the Virginia legislature by State Senator GARLAND GRAY of Waverly is intended to perpetrate a fraud upon the citizens of this Commonwealth which even embittered the Constitutional Convention of 1902 rejected.

But Virginia's high command deems this piece of iniquitous legislation desirable to shore up its tottering structure of massive resistance, and so, barring a political miracle, the bill is expected to become law, with Governor ALMOND's signature, just as soon as the members of the general assembly, obedient to the directives of The Man, go through their legislative paces.

Est. 2-22-38
 This new law will halt any substantial registration of Negro voters by prohibiting the registrars from rendering any assistance whatever to the applicant, even eliminating the printed form which the prospective voter heretofore has been given to fill out. Referring to a strict interpretation of the Virginia Constitution, Mr. GRAY's law would permit registrars to issue only a blank sheet of paper and a pencil. The would-be voter then would have to write up to 12 different facts about his status as a citizen, a resident, and a taxpayer—all from memory—without the benefit of any aid, suggestion, or memorandum.

At the Governor's suggestion the bill has been modified to permit the registrars to give the applicant a peek at Section 20 of the state Constitution, setting forth the requirements for registration, to refresh the prospective voter's memory. But he would have to return it to the registrar before commencing to write. The gesture of the Governor to throw a cloak of legality around this shamefully naked device to disfranchise the Negro will arrest the malignancy that is snuffing the life out of democracy in Virginia.

* * *

Delegates to the 1902 Constitutional Convention debated at great length

the wisdom of inserting a test of knowledge or understanding as a qualification to register and vote. The result was adoption of two very different provisions relating to the qualification and registration of electors. One of these, Section 19, known as the "temporary provision," set forth the requirements for registration during the years 1903 and 1904. The other, Section 20, referred to as the "permanent provision," described the requirements of persons applying to register after January 1, 1904. Section 19 stipulated that at the general registration held in 1902 and 1903 every male citizen of the United States, having the prescribed qualifications of age and residence, should be entitled to register, if he either had certain qualifications unrelated to education, knowledge or understanding, or if he was "able to read any section of this Constitution submitted to him by the officers of registration, and to give a reasonable explanation of the same; or, if unable to read such section, able to understand and give a reasonable explanation thereof when read to him by the officers."

After long debate the convention refused to include in the permanent provision for registration the above quoted educational requirement or test of knowledge or understanding set out in the temporary provision. Instead, it adopted Section 20 in pretty much the form we find it today.

* * *

As long ago as 1931 the Virginia Supreme Court of Appeals emphatically ruled that a registrar has no right in Virginia to impose any kind of intelligence or understanding test upon an applicant for registration. On October 5, 1929 W. E. DAVIS, of Hampton, made application to T. C. ALLEN, registrar of the City of Hampton, for registration. The registrar refused to register him on the grounds that he failed to make application in proper form and to answer to the satisfaction of the registrar certain questions affecting his qualifications as an elector. DAVIS then applied to the Circuit Court of Elizabeth City County for an

order requiring ALLEN to register him. The court sustained the registrar and the case was appealed to the State Supreme Court. The late Atty. A. W. E. BASSETTE, JR. represented DAVIS.

It is doubtful that the registrar himself could have passed an educational test, for the questions he put to the applicant and himself reduced to writing were reported in the record as follows:

"Question What is ment By Legal Residence in Va

"Question When is the Payment of Poll Tax Not Required

"Question What are the Requisites to enable one to Register in Va"

The Supreme Court held that the original application by DAVIS was sufficient in law. It further ruled that his answers to the supplemental questions put to him by the registrar, although in error in some respects, did not reveal that he lacked the qualifications prescribed by the Constitution for an elector or that he was by the constitution excluded from registering and voting.

The Court further pointed out that the provision in the Constitution requiring an applicant to "answer on oath any and all questions affecting his qualifications as an elector, submitted to him by the registration officer," restricted such interrogation to matters affecting his qualifications, not those of electors generally. It said that the unambiguous language of the Constitution provided for no test of knowledge or understanding or educational requirements other than that the applicant shall be able to make application in his own handwriting, without aid, suggestion, or memorandum.

Finding that the registrar had exceeded legal limits in his interrogation of the applicant, the court ordered that he be registered forthwith. While this case settled the controversy with respect to educational requirements, subterfuges are still employed, particularly in rural areas, to deny Negroes access to the polling places. And they, as much as anything else, account for the small registration of Negro voters in Virginia.

What Senator GRAY has proposed may not be technically an educational test. But stripping the application for registration of even a hint of the information it seeks to elicit from would-be voters, and substituting a blank sheet of paper for the printed form heretofore used, makes it extremely unlikely that in the future anyone but intellectual giants among Negro applicants and faithful rank and file members of The Man's Democratic apparatus will be able to qualify as voting citizens of Virginia.

While the immediate purpose, for vote-getting reasons, is to stifle publicized register-and-vote campaigns being launched by Negro leaders in the South, there is another sinister objective behind the crash program. That is to crush the upsurging Republican strength which claimed 35 percent of the votes last November. A sound two-party system in this and other states would be a real threat to the Democratic machines which maintain a stranglehold on the servants of the people, from the Governors all the way down to assistant dog-catchers in the cities and towns.

All of this is being done within the framework of democratic process as it is understood and practiced in the Commonwealth of Virginia in the year of our Lord 1958. Amen.

Virginians awaken and vote, NAACP urges

WASHINGTON

The Fairfax County Branch of the NAACP recently held two successful branch meetings on Sunday and Monday. The Rev. Ross Weston of the Arlington Unitarian Church delivered the Sunday address at the Galloway Methodist Church in Falls Church.

President Eugene Davidson of the Washington branch spoke at the Wednesday night meeting in Vienna, Va.

Dr. Weston criticized the "pseudo liberals who keep quiet or run to cover whenever the going gets tough." He and Mr. Davidson both rapped the so-called "moderates" who advocate "go slow" which means "Never" in the plans of the "massive resisters."

Mr. Davidson said that "history has taught that when a movement slowed down its enemies always regained their strength. No successful technician in methods of war would permit an enemy to regain or consolidate his positions if there was strength enough in the advance to go forward."

Both speakers said they hope some method might be found to "awaken the apathetic or satisfied colored person who owns a car, home and good job and who did not care enough to continue fighting for his liberty."

"ONCE, shortly after slavery, colored people had the ballot and made great gains then as their economic progress grew. They bought land and sought, after the advice of Booker T. Washington to avoid the white man's field of politics and just try to become a good citizen and deserve a place in heaven."

"Colored people stopped voting and lost all the ground gained. Today the big question is — What can shock colored people enough to arouse them from their apathy and vote?"

Negroes Mobilize To Register Voters

By DAVID KOONCE
Star Staff Writer

The first civil rights law to pass Congress in more than 90 years last summer strengthened, in theory at least, the voting rights of 4,980,000 Negroes of voting age in the South.

Now, six months later as the spring and summer primaries approach, Negro organizations have mobilized to implement the theory with fact, to raise the number of registered Negro voters in 11 Southern States from 1,238,000 to 3 million by 1960.

If the nationwide campaign, just getting off the ground, is successful, the result could be a revolution in Southern politics just as vast and yeasty as the current revolution in the Southern economy. Officials of the National Association for the Advancement of Colored People declare that success of their efforts will bring the end of demagoguery in Southern politics. Some even say that the day may not be far distant when the South may become the National citadel of democratic liberalism.

Voter registration among Southern whites runs to about 60 per cent of those eligible. Among Negroes, according to the Southern Regional Council, the ratio is about 25 per cent. Clarence Mitchell, director of the NAACP's Washington bureau, believes that if the Negro ratio can be increased to 60 per cent also, then there will be a vigorous effort by whites to raise the white ratio to "80 or 90 per cent of the eligible white voters."

That, says Mr. Mitchell, will in turn spur the Negroes to greater efforts, with the result being "more voter participation by everybody, and therefore more democracy for everybody."

Hard Work Ahead

But the Negro groups sponsoring the voter registration campaign are under no illusions about the difficulty of their task. At rallies

in 21 Southern cities on Lincoln's Birthday kicking off the campaign it was agreed that speechmaking, propaganda and pep rallies will not be enough.

Instead there will be a door-to-door, foot-pounding drive, aimed at reaching every individual potential Negro voter who is not registered. The initial efforts are being made in the cities of the South, where whites generally seem to be less resistant to Negro advancement and where the more militant Negroes are found.

Negro groups in some cities are planning to use a system which in Baltimore resulted in adding 10,000 Negroes to the registration books in the nine months from April, 1957, to January, 1958. Under this plan each Negro minister is responsible for the registration of every eligible voter in both his church and his precinct. This results in some overlapping efforts which only increases the pressure on the potential registrant.

Churches have set up transportation pools and baby-sitting pools to make it easier to get the registrants to the places of registration. Prizes are given to workers who bring in large numbers of new registrants. Since virtually all Negro organizations are participating in the effort, very few potential voters will be missed. Clubs, fraternal organization, lodges and dozens of organizations specifically set up for the purpose are assigning sections of Negro neighborhoods to door-to-door canvassers.

Kelly Alexander, a North Carolina NAACP official who is handling the policy end of the campaign, explains how the campaign is co-ordinated.

Each congressional district is or will be organized on the district, county, town and precinct levels with a chairman for each jurisdiction. Statewide meetings will co-ordinate the efforts of the districts. The NAACP will be the nerve center of all these drives, with its registration committees in each branch charged with assigning tasks to other groups.

So far, Mr. Alexander says, the NAACP is finding that the major barriers confronting the campaign are apathy and ignorance among Negroes.

Many of them just don't even know what it's all about," he explains. "Some don't even know that the bill was passed. There is also the fear that they'll have to pay more taxes if they become voters."

To meet this problem the nationwide program also includes "voter registration institutes" in each congressional district. The institutes instruct the potential voter in practical politics and voter responsibility. Mr. Alexander emphasizes that this function is entirely nonpartisan.

Rev. King Is Active

One of the organizations working with the NAACP on a South-wide basis is the Southern Christian Leadership Conference, which is playing a leading role in mobilizing the great numbers of Negro churches. Its head is the Rev. Martin Luther King, Jr., who led the successful Negro boycott of segregated city buses in Montgomery, Ala.

Mr. King has become a powerful symbol to Southern Negroes of their numerical strength, and is in great demand as a speaker at rallies kicking off the campaign.

To date there have been no reported instances of interference with the door-to-door solicitations, but the Justice Department is currently investigating complaints in seven areas of refusals by registration officials to register qualified Negro applicants.

The NAACP expects no startling successes immediately—that is between now and the months of May, June and July, when Democratic primary elections are held in most Southern States. Certainly, says Mr. Alexander, no one expects that any Southern Congressmen or Senators will be unseated this year as a result of increased Negro voting.

But, he says, "look for some real changes in 1960. Especially in the areas of close Democratic-Republican competition will the Negro vote be sought by both parties."

Congressional Targets

One planned tactic, says Mr. Alexander, is to retire those high-seniority Southern members of Congress who are most resistant to Negro advancement. This would be the strategy:

In elections where two congressional candidates, a seniority-rich incumbent and a challenger, are equally unattractive to Negro

voters, the Negroes will be urged to vote for the challenger—sometimes even if he is less attractive than the incumbent.

Mr. Mitchell is confident that the campaign will reach the goal of 3 million Negro voters in the South by 1960 and he is equally confident that the increase will bring some notable changes in the position of many officeholders.

"It would not only mean unseating of some present members of Congress," he says, "but it will make it possible and safer—and sometimes this is even more important—for many Southern Congressmen to vote their consciences."

"And there are more of these in Congress than most people realize," he declares.

PARTIAL TEXT OF ADDRESS

Almond Sees Voters Demanding Resistance

The following is a partial text of Gov. Almond's inaugural address—the section dealing with school integration.

On November 5, 1957, the people of Virginia, with overwhelming voice, gave expression to their profound conviction that principles cannot be compromised, and that rights and powers cannot be abandoned without forsaking every hope for their revival and re-establishment. I interpret and accept that expression as a mandate to the General Assembly and the chief executive to defend and preserve the inherent powers of Virginia's sovereign statehood.

I shall exercise every honorable means at my command in the observance of that mandate and in the execution of that trust.

Interstate Body Urged

Virginia has a high responsibility, I believe, to contribute in whatever way we can toward the preservation of this constitutional structure. I therefore recommend that the General Assembly give thorough consideration to the establishment of an appropriate commission to work with the Chief Executive in co-operation with our sister States to the end that the several States may be restored to their proper dignity, and defended in the exercise of their non-delegated and reserved powers under the Constitution of the United States.

I am dedicated to the cause of public education in Virginia. I want to see every child possessing the capacity and will to learn afforded the best educational opportunities this Commonwealth can provide, irrespective of race or color. As I want to emphasize somewhat later, the processes of sound education that have been important in the past seem to me imperative now. The well-being of the State, the security of the Nation, even the survival of Western civilization, depend to a large degree upon the edu-

cation of the coming generation.

In guiding our children along this urgent path, our public schools, in the familiar image, are like lamps; I deplore the very thought that even one of these should ever be dimmed or extinguished, however briefly. I am determined to do everything within my power to promote and sustain an efficient, progressive, and well-functioning system of public free schools throughout Virginia.

Yet in approaching this critical matter, we must face certain facts of life squarely. Moderation may be, indeed, the noblest gift of heaven, but it is stark reality that confronts us here on earth.

School View Detailed

The people of Virginia, I believe, are overwhelmingly in favor of sound public education; and the people of Virginia, I believe, are overwhelmingly against racial integration of the public schools. These two convictions are mutually exclusive. The society in which we live demands that education reflect a spirit of progress and advancement. On a racially mixed basis, progress and advancement are utterly impossible in the public schools of Virginia today.

No public school system can survive when it is isolated from the loyalty, confidence and support of a large segment of the people whose tax dollars are its only source of material support. Yet considerations of public finance are possibly the least of the vital factors here, though many local governing bodies, irrespective of State appropriations, would not provide funds for the operation of racially mixed schools.

Beyond the tangible matter of tax dollars are the countless intangible factors of community pride, individual choice, age-old custom, and deep po-

litical conviction. Thousands upon thousands of Virginia parents simply would not send their children to racially integrated schools; they have made this clear in every way it is possible for them to do so. By an act of the special session of the Assembly, no child may be compelled to attend such a school; but even if this were not so, it would be absolute folly for the State to attempt such a compulsion.

The result of forced integration would be half-schools or quarter-schools or no schools, struggling for survival in communities torn by dissension. There could be no education, not in any meaningful sense of the word, under these circumstances.

Need for Firm Front Seen

This is a somber picture, but I believe it is not overdrawn. I am convinced that there is not one political subdivision in Virginia where racially mixed schools can be conducted without such serious, irretrievable loss and damage to the cause of public education as to render the attempt, even on an experimental basis, all but futile. The agonizing study I have given this problem over a period of many months has persuaded me that so far as a State system of public education is concerned, integration anywhere means destruction everywhere.

And to paraphrase a great statesman, I say to you simply that I have not been elected Governor to preside over the liquidation of Virginia's schools.

I call upon the people and their representatives in the General Assembly to support me in sustaining this cause in which my convictions persuade me to be morally just and right, and indispensable to the happiness, prosperity and culture of our people.

Compromise Ruled Out

There are those who would have me recommend specific and detailed proposals for dealing with the complex problem confronting us. A number of suggestions have been pressed upon me in the nature of a "compromise," but I find no area of compromise that might

be usefully explored. To compromise means to integrate. It is said that integration might be held to "a little integration," or to what is called "token integration." It is urged that each locality should be left free to decide for itself.

But the objections here are two in number: First, I cannot conceive such a thing as a "little integration" any more than I can conceive a small avalanche or a modest holocaust, and I am confirmed in this skeptical view by the plain—indeed, the blatant—statements of minority spokesmen. They have been armed out of political expediency with inordinate power to force their will upon the majority. They are indifferent to appeals for moderation. They are determined to substitute chaos for order, and to impose upon the people of ooth races, heedless of the bitter consequences, an intimate and personal association for which neither race is prepared.

No plan would be acceptable to them except that which would open wide the door to complete amalgamation, with its consequent destruction of every semblance of hope for maintenance of an efficient and orderly system of public free schools.

Policy Mandate Seen

Second, so long as ours is a system of State public schools, financed in large part by State funds, administered by a State agency under a State supervision of public instruction, there must be one State policy in this regard. Section 140 of our State Constitution prohibits the teaching of white and Negro children in the same classroom anywhere in Virginia; and while I am told this has been voided by action of the Supreme Court of the United States, I know it has not been voided by any action of the whole people of Virginia. Legally, section 140 may not exist; but as an expression of Statewide policy, satisfactory to the people of this State for a period of more than 80 years, section 140 remains a useful guide.

The difficulty in all these "compromise" suggestions, in

brief, is that they are premised upon the voluntary acceptance of some unknown degree of integration everywhere in Virginia. To sanction any plan which would legalize the mixing of races in our schools would violate the clear and unmistakable mandate of the people to which I earlier referred. This I cannot do.

Virginia has no alternative but to seek to maintain a position of flexibility so as to meet to the best advantage, in the light of conditions then existing, any situation which may arise.

She must utilize every honorable means through the adaptation of her sovereign power and governmental machinery to prevent that which will destroy her public school system. We ought not to rely upon any Maginot Lines. For my own part, I am not dissatisfied with the defenses erected by the Assembly 15 months ago, but I will not hesitate to convene the Assembly in extraordinary session whenever the public interest may so require.

Anti-Troop Bill Proposed

One measure, however, I do recommend for immediate adoption. The preservation of public peace and good order is historically and constitutionally a State function and not a Federal function. . . . No public school can function at the point of bayonet.

Therefore, I recommend to the consideration of the General Assembly the enactment of a law expressly authorizing the Governor to order the suspension of the operation of any public school whenever and wherever military forces may be employed by Federal authority to police its operation.

I cannot leave this lamentable subject without one further word. I am keenly conscious that, as Governor of Virginia, I am governor for all the people of Virginia, white and Negro alike. To the Negro people I would say this: I cannot agree to any program of integration of the schools, for the overriding constitutional and social reasons I have attempted to set forth; yet I would express my profound hope that in the months ahead we may explore other areas of mutual concern, involving State

services, with greater hope for resolving divisive issues in a spirit of unity and good will. I pledge my unremitting efforts also, toward the end that educational opportunities, though separate, will be fully equal, and I call upon all our citizens who desire an effective and efficient system of education, available to all our children, to lend their aid and co-operation in this vital undertaking.

Boatwright's Journal
Bill Aimed At
Mayall Va.
Colored Voter
Jan. 1-55-58

RICHMOND — Virginia
legislators attracted no little attention in the state this week when they introduced an anti-Negro voting bill in the House of Delegates.

The bill, introduced by Del. John B. Boatwright, would empower local Democratic organizations to deny a precinct which did not give 50 per cent of the last general election votes to Democrats the right to participate in the next primary.

IF PASSED, this measure would mean that the colored precincts which were almost solid Republican last November, could be locked from the next primary election.

The bill also would hit any precinct which normally has a Republican majority, but many persons in the state view the bill as an anti-Negro measure.

Virginia Bill Stiffens Voter Registration

RICHMOND, Va., Jan. 30 (Special).—A bill to make it harder for potential Virginia voters to register has drawn strong support in the State Senate.

The measure carries the backing of Senator Garland Gray of Waverly and eight colleagues from Southside Virginia, where the State's Negro population is heaviest.

It would require registrars to hand out blank sheets of paper, instead of the customarily used printed forms, to prospective registrants.

Registrars now often help registrants with the applications, but under the Gray bill applicants would be unable to discuss requirements with anyone.

Registrars who gave aid to applicants could be fired.

Senator Gray, on presenting the bill yesterday, said he understood there are sections of the State where people are appearing at registrars offices with printed forms.

He would not comment when asked if these forms were being distributed by the National Association for the Advancement of Colored People.

Under the Gray bill, an applicant would have to remember his name, age, date and place of birth, residence, present and past occupation, and whether he voted in the last election.

Present procedure calls for applicants to fill out a printed form, supplying answers to similar questions.

Senator Gray insisted the Virginia Constitution requires no aid be given applicants and that the only new feature in his bill is a provision for dismissing registrars.

Stop Colored Voters Aim Of Proposed Bill

Special to Journal and Guide

RICHMOND, Va. — A bill that could prevent any more citizens, especially colored ones from becoming registered

voters in Virginia is now being considered by the General Assembly and has strong backing.

The bill is sponsored by State Senator Garland Gray of Waverly whose "Gray Plan" of operating schools was superceded by the Stanley Plan of ex-Gov. Stanley. In addition to Sen. Gray, eight co-patrons have thrown their weight behind the measure which would see a "blank sheet" form of registration go into effect.

UNDER THIS plan, persons registering as new voters, would be handed a blank sheet of paper. The registrar would not be allowed to give explanation.

On the paper, the applicant would be required to list everything that must go on an application to become a voter. These include name, age, birth date and place, occupation at time of registration and for one year previous, plus whether the applicant has ever voted before, with state, county and precinct if a ballot has been cast in the past.

REGISTRARS NOW generally hand prospective voters a printed form to fill out. In some cases the registrar fills it out by questioning the applicant.

Co-patrons of the bill with Gray are Sens. Thomas H. Blanton of Bowling Green, Mills E. Godwin Jr. of Suffolk, M. M. Long of St. Paul, Curry Carter of Staunton, Charles T. Moses of Appomattox, Earl Fitzpatrick of Roanoke and Dr. James D. Haggood of Clover.

THE LEGISLATION would apply only to new registrations. Once a person registers in Virginia, he does not have to re-register.

The bill requires electoral boards to dismiss any registrar who assists an applicant in putting down all the required information in an application. Once dismissed a regis-

trar could not serve again for five years, anywhere in Virginia.

IF AN ELECTORAL board does not dismiss a registrar for giving aid, the proposed law would enable any citizen to initiate "show cause" proceedings in a court of record against the electoral board.

The bill provides: "When making in writing his application for registration, the applicant shall not be permitted to refer to any pamphlet, booklet or other memorandum, printed or written, nor to discuss with any person any matter concerning the requirements necessary in order to register."

New Vote Bill 'Colossal'

Apr. - American RICHMOND

"The most colossal legislative boomerang of the decade" was passed in the Senate Monday 21 to 14. The "boomerang" was the new bill to require "blank paper" voter registration, rather than printed questionnaires. The "colossal" legislative boomerang" description was made by Richmond's Sen. E. E. Haddock. Pointing up the criticism that the bill was designed to hamper the registration of colored persons, Senator Haddock said that such a move would damage Virginia's reputation.

The "blank-paper" registration would require registrants to write all necessary information from memory. Formerly, most registrars furnished printed forms indicating that information was wanted and the registrant merely filled in the blanks.

SEN. GARLAND GRAY is chief patron of the bill, which has the endorsement of Governor Almond. The senator said, "I see nothing in the bill which is restrictive or works a hardship."

In the lengthy debate over the measure, some legislators pointed out indirectly that the bill might actually penalize white voters more than colored.

STILL OTHERS opposed the bill because it would tend to put registrars "on the spot" and create a class of "political snoopers" according to Republican Sen. Ted Dalton.

The bill is expected to pass in the House of Delegates with "deliberate speed," but set no date.

PLAINTIFFS in that case were Earl B. Bush and others.

The decision against LSU supervisors and the state board of education affected separate District Court cases that had been grouped for appeal purposes.

Miss Arnesse Ludley and others brought the suit against LSU and Miss Alma Lark, Jack Bailey and others sued the education board.

The city park case involved Mandeville Detiege, who sued on behalf of himself and all other colored persons similarly deprived of the use of the city's parks.

In Virginia, Arlington County and state officials were stag-

gered by the Fourth Circuit Court's decision ordering the pupils to schools formerly attended only by white children.

SINCE THE APPEALS Court now has fixed matters so that the only remaining course open to Virginia is an appeal to the U.S. Supreme Court, a final showdown in the state appears imminent within the next 120 days.

Virginia said it would request a 30-day stay of the order to take an appeal and the case would reach the Supreme Court before the summer recess, with a possible ruling coming in time for the September school term.

Chances of a favorable ruling for Virginia before the Supreme Court appear remote, since that tribunal has already, on numerous occasions in the past, declared public school segregation unconstitutional.

IN ORDERING the seven colored children admitted to four formerly all-white schools in Arlington County, the appeals court upheld a Sept. 11 decision of District Judge Albert V. Bryan.

That decision dealt the state's "massive resistance" program a severely crippling blow.

While James H. Simmonds, attorney for the Arlington School board, hinted an appeal would be taken, State Attorney General A. S. Harrison Jr. immediately went into a huddle with Gov. L. Lindsay Almond.

IN CONFIRMING the ruling of Judge Bryan, the appeals court said it felt Judge Bryan "took the milder course" by directing admission of the pupils rather than holding school board members in contempt of court for failure to carry out his order.

The appeals court added: "We think that the order (Judge Bryan's) was clearly proper for reasons adequately stated in the opinion of the district judge and nothing needs to be added to what was there said."

Judge Bryan's order, which was stayed pending the outcome of the appeal, now becomes effective unless the state is granted a suspension of that order pending an appeal.

CERTIFICATE OF JUDGES

General Election

It is hereby certified that the number of electors at this election amounts to 994
 And we further certify that 55 ballots were not counted because void.

134

ATTEST:

Clerks

Judge

Frederick E. Hopson
Cornelia Ford
James P. Archer

Names of Persons voted for what Office, Containing the number of
 votes given for each Candidate

CITY OF NORFOLK

WE HEREBY CERTIFY THAT

FOR PRESIDENT

Democratic Party Electors for

Adlai E. Stevenson

had

384

Republican Party Electors for

Dwight D. Eisenhower

had

314

States' Rights Party Electors for

T. Coleman Andrews

had

40

Socialist Labor Party Electors for

Eric Hass

had

0

Virginia Social-Democratic Party Electors for

Darlington Hoopes

had

0

FOR REPRESENTATIVE IN CONGRESS

Porter Hardy, Jr.

had

609

William R. Burns

had

245

PROPOSED CONSTITUTIONAL AMENDMENTS

Question No. 1—Governor term

FOR

had

567

AGAINST

had

386

Question No. 2—Exempt from taxation?

FOR

had

488

AGAINST

had

425

Question No. 3—Prohibit free transportation

FOR

had

367

AGAINST

had

308

ORDINANCE PRESCRIBING DAYLIGHT SAVING TIME

FOR

had

284

AGAINST

had

444

Frederick E. Hopson
Cornelia Ford
James P. Archer

Clerks

Judge

Journal & Guide Norfolk Va. April 2 & 3 1958
Is There A Voting Irregularity Here?

Above reproduction of actual certificate of judges at Precinct 31-A for the November, 1956 Presidential election shows all figures altered and election results changed. The judges and clerks say they know nothing of the alterations.

This certificate and the ballots were left with a desk clerk at the First Precinct Police Station about five o'clock in the morning after an all-night count of the votes. Clerk's office, where certificates must be delivered, under the law, was closed at the time. This one was subsequently delivered by a police officer.

The Federal Bureau of Investigation (See Story on Front Page.) has been investigating.

Guide Exposed Vote Irregularity At 31-A

Jury Probe Of 'Shifting Ballots' Is Postponed

The Federal grand jury probe of an apparent voting irregularity uncovered by the Journal and Guide more than a year ago, and all but ignored by election officials, has been postponed indefinitely by U. S. District Attorney I. Shield Parsons. Mr. Parsons stated Thursday that the meeting of the grand jury, which had been set for Monday, has been postponed indefinitely, his statement about the pending further investigation and would not comment on the purpose of the jury meeting. It was apparent, however, that the jury and two clerks of Precinct 31-A, which had a voting place at Bowling Park School, has been subpoenaed to appear before the grand jury.

Mr. Parsons did not amplify "Postponed indefinitely, his statement about the pending further investigation and would not comment on the purpose of the jury meeting. It was apparent, however, that the jury and two clerks of Precinct 31-A, which had a voting place at Bowling Park School, has been subpoenaed to appear before the grand jury."

FOR MORE than a year the 31-A was entered in the record books. Precinct 31-A (Bowling Park School) has defied solution. Although the voters—99 percent colored—gave a thumping 753-to-85 majority to President Eisenhower in the November, 1956 national election, the "official count" recorded in the office of the Clerk of the Corporation Court showed a Stevenson victory by a count of 384-to-314.

It was the Journal and Guide which discovered and publicized this discrepancy in December, 1956. In its issue of January 19, 1957 the Guide cited the tallies announced by precinct officials the day after the election and compared them to the way the voting at

THE THREE judges summoned to the grand jury hearing are Frederick E. Hopson, 2727 Schooley avenue, a member of the staff of Virginia State College, Norfolk Division; Mrs. Cornelia Ford White, 1420 Buck road, a housewife, and Lancaster Reid, 2721 Myrtle avenue, an employee of the Naval Air Station.

Also subpoenaed were the two clerks, Mrs. Frank W. Merritt, 1217 Merrimac avenue, and Mrs. James P. Archer, 2711 Beachmont avenue. In addition a FBI agent, Jack Spratt, has received a summons.

PRECINCT 31-A officials have stated that they experienced difficulty tallying the votes for the various candidates. In fact, they say the job was not finished until five o'clock the next morning.

Regulations call for one of the judges to deliver the ballots and a certificate of the results to the Clerk of the Corporation Court. All the other precincts having reported, the Clerk and his staff had locked up the office and gone home shortly after midnight.

MR. HOPSON accepted the responsibility for turning in the ballots and certificate from Precinct 31-A. Finding the Clerk's office closed, Mr.

Hopson has said he took the envelope to the First Precinct Police Station and left it with the desk clerk on duty, as they had been instructed to do if they found the Clerk's office closed.

At that time, Mr. Hopson said, the certificate showed President Eisenhower received 753 votes, Adlai Stevenson 85. It also showed only two votes cast for T. Coleman Andrews, the States' Rights Party candidate.

THE ENVELOPE containing the certificate and ballots, according to a court official, was delivered by a police officer to the clerk's office some time after it opened for business at 9 a. m.

The certificate prepared by the precinct workers showed that all of the figures entered in the spaces opposite the candidate's name had been crossed out and different ones written immediately above.

THESE ALTERATIONS completely changed the election results at that precinct. The certificate now shows 384 votes for Stevenson and only 314 for Eisenhower. And it also shows that the States Rights Party candidate polled 40 votes in this predominantly Negro precinct — 38 more than the judges had said he actually received.

An official of the Journal and Guide came across this discrepancy in a routine quest for the final official count of the November voting in order to complete the newspaper's files on political activity in the uptown area.

THE GUIDE has known for several months that an FBI agent had been working on the case locally. Precinct officials were questioned at length about the circumstances.

After the discrepancy was revealed, the three precinct judges retained Attorney Hilary H. Jones Jr. and petitioned the Norfolk Electoral Board to investigate the matter and hold a hearing at which they could testify. A sworn affidavit signed by the three judges and two clerks accompanied that request.

That plea went unheeded. Section 24-275 of the Code of Virginia specifies the circumstances under which the Electoral Board may hold such hearings.

Labor Agents Must Pay City, State \$10,000 Tax

Journal & Guide
IN VIRGINIA Negroes are deprived of the right to vote by legislation; they are deprived of the right of assembly, petition and free speech, as well as equal protection of the laws in other matters vital to free citizens by state law, but when representatives of industry from another State, in search of manpower comes into Virginia, these representatives are required (1) to pay a State license tax of \$5,000, and (2) to pay a city license tax of \$5,000.

Industries in other States have frequently paid the moving costs of manpower found idle in Virginia for want of employment. The license taxes of \$10,000, which they are now required to pay makes it prohibitive for an industry outside of the State to offer employment to manpower living here in semi-idleness, or, desirous of improving its living conditions.

As educated, productive and progressive citizens they are not wanted here. *They may vote.* But they are held here in their present straits by laws and ordinances which prevent them from moving away with the assistance of industry in other States, where labor and human relations are tolerable, and wages are good.

P. S.
Last week Norfolk's City Council amended and reordained a 1948 ordinance which in its present form exacts a license fee of \$5,000 from "Labor Agents." This parallels a State law making the same requirement.

Meanwhile, in Richmond last week, Mr. RICHARD L. WOODWARD, president of the Tidewater Virginia Development Council, told the State Chamber of Commerce that "Virginia has not met its responsibility to provide leadership." Speaking of industrial development, Mr. WOODWARD said: "The record of industrial development as demonstrated by other States is very clear and concise. Industrial development is every one's business, supported by those who possess the ability, and most of all it is the State's responsibility to provide the leadership."

Continuing, Mr. WOODWARD said: "Speaking as a private citizen . . . I have observed that Virginians have exhibited an astonishing willingness to reside in the past." That was an eloquent speech, delivered at the right place. Virginia is indeed living in the past.

3422
Imposing prohibitive license taxes upon labor agents, who at their worst take away the semi-idle, is not the way to build up the State's industrial structure, which is feeble when compared to most of the other States. A better way would be to take away some of the strangling legal restrictions which undergird Virginia as it was 100 years ago, and let some industrial concerns come in.

Some explanation of the license tax on labor agents may be found in the gradual decrease in the proportion of Negro population to white in the state.

The following figures show how migration to other states has changed the ratio:

Year	Pct.	Year	Pct.
1790	43.4	1920	29.9
1830	47.9	1930	26.9
1860	43.3	1940	24.7
1900	35.7	1950	22.7

"In 1950 one out of three colored persons born in Virginia had moved out of the state."

The majority of these migrants left of their own accord and paid their own expense of moving elsewhere.

Almond Backs Gray Bill On Voter Registration

By MARY LOU WERNER
Star Staff Writer

RICHMOND, Jan. 31.—Gov. Almond has given his indorsement to the pending blank paper registration bill.

The Governor told a press conference yesterday he had talked with the bill's chief sponsor, Senator Garland Gray of Waverly, and supported the measure.

Senator Gray's bill, introduced Wednesday, would prohibit the use of any printed applications, pamphlets or other assistance in the registration of new voters.

It states that applicants for registration shall be given blank sheets of paper and nothing more. Any registrars who violate the law shall be removed from office.

Recalls Own Ruling

Gov. Almond said the bill merely spells out and provides for enforcement of a section of the State Constitution that already prohibits any assistance in the registration of new voters. The Governor agreed it was a "matter of common knowledge" that the constitutional provision has not been strictly adhered to. Registration applications are used in Richmond and many other sections of the State.

Gov. Almond recalled, however, that several years ago, as attorney general, he ruled that the constitution prohibits any registration assistance.

The Governor said he did not feel the law would discriminate against any applicant at registration — "it applies to all alike."

It has been rumored that the bill is aimed at stepped-up Negro registration drives promoted by the National Association for the Advancement of Colored People.

Requirements Spelled Out

New voters unfamiliar with the information they have to supply to register would have to know in advance what to write on the blank sheet of paper.

The section of the State Constitution on which the bill is based provides that any registration applicants, unless physically unable to do so, must apply to register "in his own handwriting without aid, suggestion, or memorandum in the presence of the registrar stating therein his name, age, date, and place of birth, residence and occupation at the time and for the one year preceding and whether he had previously voted."

The Governor also told his press conference he had "no objection" to a bill introduced yesterday that would allow him to withhold any information from any Federal officer or agency.

Delegate John Boatwright of Buckingham, sponsor of the bill, said the new Federal Civil Rights Commission was one of the agencies he had in mind when he drafted the legislation.

Would Prevent Harassment

His bill would allow the Governor, at his discretion, to withhold State information from Federal authorities whenever he thought the information might be used "for the purpose of harassing officers or employees of the State or any political subdivision thereof, or of harassing any citizens of the State."

Gov. Almond said he had not requested Delegate Boatwright's bill, but that, if he understood it correctly, he had no objection to it.

Another measure sponsored by Delegate Boatwright was killed yesterday by an unanimous vote of the House Privileges and Elections Committee.

It would have allowed the exclusion of any election precinct from a primary whenever that precinct failed to give the party holding the primary a majority in the last preceding election. Since only the Democratic Party holds primaries in Virginia, it would have served to punish election precincts that go Republican.

Curb on Registry Arouses Protest

By Robert E. Baker
Staff Reporter

RICHMOND, Feb. 6.—A long line of Virginians objected so strenuously to a proposed tightening of voter registration laws today that two legislators promised to sponsor a constitutional amendment to ease them.

Senators Earl A. Fitzpatrick of Roanoke and Robert F. Baldwin Jr. of Norfolk announced they would introduce a resolution to change the State Constitution so that printed registration forms may be used by registrars.

They are members of the Senate Privileges and Elections Committee which held a hearing on a bill sponsored by Sen. Garland Gray, its chairman, and six other members, which would require registrars to supply prospective voters with only a blank sheet of paper when registering.

The private purpose of the bill is to hamper future registration of Negro voters, but not a Negro testified today.

After the hearing the committee decided to defer action until next week.

The explanation of Sen. Mills E. Godwin Jr. of Suffolk, a patron of the bill, that the proposal simply enforces present constitutional provisions did little to placate the attackers.

Nor did an amendment he offered (blessed by Gov. J. Lindsay Almond, which made it clear that registrars had the duty to inform prospective voters fully on what information they needed to register properly. They fact remains, retorted the opponents, that applicants would have to memorize the required information and record it completely on blank sheets of paper without aid from the registrar.

Even Levin Nock Davis, secretary of the State electoral board, appeared lukewarm. He warned:

"We've got 1911 registrars in this state and a lot of them

have called me and said they were going to resign."

"If it doesn't do anything to change the Constitution then why do we need the bill at all?" asked Mrs. Jack Goldbrod of Richmond, representing the Virginia State Legislative Committee, National Council of Jewish Women.

"This is simply a punitive measure against registrars who attempt to make registration a reasonable process," said Mary Marshall of Arlington, representing the Women's Democratic Club of the 10th District.

"We try to get people to register and vote and become good citizens of the community," said Leone Buchholz of the Arlington County Board. "We believe every person should take advantage of the privilege to vote. This bill does not help."

Mrs. W. F. Pfeiffer of Alexandria, president of the Virginia League of Women Voters, wondered what industry would "move to a state which regarded the rights of citizens so lightly as to capriciously endanger them according to the political whim of the moment."

Adele Clark, legislative chairman of the Richmond Diocese of Catholic Women, prodded the committee with George Mason and his Bill of Rights, stating she doubted that great Virginian "would have thought that this quiz test of memory would constitute a test of permanent interest in the community."

Julian F. Carper, vice president of the state AFL-CIO said "we do not feel the citizens of Virginia should have to run an obstacle course in order to enjoy a basic privilege of a free people."

Few doubt the bill will clear the committee, but it apparently has raised sufficient opposition for some delegates to say privately it will have

great difficulty in getting through the House.

Registry Curb Is Denounced

By Robert E. Baker
Staff Reporter

Fairfax County GOP Chairman Daniel H. Neviaser labeled yesterday State Sen. Garland Gray's (D-Waverly) blank registration bill a "flagrantly evil plan." He said it was "another example of the subtle tyranny, one-party rule that has brought to Virginia."

The bill forbids registrars to give out application forms and requires prospective voters to write out the required information from memory on a blank sheet of paper.

"Only a party which includes the iniquitous poll tax among its prides and platforms would devise such a flagrantly evil plan in modern day America," said Neviaser.

Almond Would Modify Voter Registration Curb

By Robert E. Baker
Staff Reporter

RICHMOND, Feb. 6.—Gov. J. Lindsay Almond today advocated a slight modification in the Gray voter registration bill to comply with a ruling he made in 1948 as Attorney General.

In a press conference, the governor said he supports an amendment to the bill which would allow registrars to at least inform prospective voters what information they need to fill out their registration applications.

The Gray bill, introduced last week by State Sen. Garland Gray of Waverly and eight other senators, prohibits registrars from supplying application forms to applicants.

Prospective voters would be given only a blank piece of paper on which they would have to write the required information from memory. The bill has been interpreted as prohibiting registrars from telling applicants what information is needed.

Almond said he will support an amendment, now being drawn, to permit the regis-

trar to supply applicants with the required information before registering. Registration would still have to be done on a blank piece of paper and without further aid from the registrar, however.

Sponsors of the bill said the proposals simply enforces present constitutional provisions for registration of voters. But some senators privately have said it is aimed at blocking future mass registrations of Negroes, especially in south-side Virginia.

Almond said he would recommend a \$250 increase in teacher salary scales over the next two years instead of the \$200 proposed by Gov. Thomas B. Stanley. This would be in addition to the \$150 annual increment recommended for teachers who have not reached the maximum salary.

Almond also said he would recommend a transfer of \$6 million from basic appropriations to the salary equalization fund so each locality will receive the same amount from the fund as it did in 1957-58. Stanley's budget proposed an eventual end to the salary

equalization fund but rural legislators opposed the suggestion.

RICHMOND, Va. A bill, admittedly designed to curb registration of colored citizens, has been introduced in the Virginia Assembly by Sen. Garland Gray. It calls for the immediate discharge of any registrar who gives any aid or information to a prospective registrant. If passed, more white than colored would-be voters, would be robbed of their franchise.

Disfranchisement

Post Times Herald
The State of Virginia could, we suppose, require applicants for voting registration to memorize and recite the telephone directory. There would be about as much sense in this as in Sen. Garland Gray's bill to require that applicants list all essential data on a blank piece of paper without the aid of printed questions or instructions. Under this bill an applicant would have to remember to list, without benefit of prompting, his name, age, date of birth, place of birth, present occupation, past occupations for one year, whether he had voted previously and where he had voted previously.

P. A. 10
In themselves these are perfectly reasonable questions to which answers are required by the Virginia constitution; but the narrow interpretation of the constitution as excluding all printed instructions has not been enforced for many years. Even Governor Almond, while endorsing Mr. Gray's bill, has felt constrained to suggest an amendment providing that registrars may at least tell applicants what the requirements are—a provision conforming to his own interpretation of the constitution as Attorney General 10 years ago.

In present circumstances the Gray bill is patently an attempt to discourage registration in a state that already is near the bottom in the ratio of votes cast to total population. It appears to be aimed particularly at Negro registration—though if the registrars were impartial it also no doubt would have the effect of excluding white applicants who could not remember the precise order of each of the points. Perhaps, though, Mr. Gray has another purpose. Virginia politicians are wont to orate about conditions in the District of Columbia. Could it be that Mr. Gray so much admires these conditions that he wants to bring the citizens of Virginia the benefits of a similar less status?

Virginia Affairs

Memory Courses for Would-Be Voters

Post Times Herald
THE ESSENTIAL VILLAINY of the Gray bill to prevent Negroes from registering and voting is little mitigated by the fact that it is based on an element of villainy in the Virginia Constitution.

Article II, Section 20 of the Constitution of 1902 requires that the applicant for registration "make application in his own handwriting, without aid, suggestion, or memorandum, in the presence of the registration officer, stating therein his name, age, date and place of birth, residence and occupation at the time and for one year preceding, and whether he has previously voted, and, if so, the state, county and precinct in which he voted last."

These mental gymnastics were never exacted in general practice, but the provision was there to be used against Negroes whenever "necessary." The proper course for legislators now interested—after all these years—in consistency in registration procedure would be to take steps to get that provision out of the Constitution as quickly as possible.

Washington D. C.
THE ADMITTED PURPOSE of the Constitutional Convention of 1902 was to disfranchise the Negro as far as possible. A leading delegate, the late Carter Glass, said on the convention floor:

"Discrimination? Why that is precisely what we propose; that is exactly what the convention was elected for . . . to discriminate to the very extremity of permissible action under the limitations of the Federal Constitution, with a view to the elimination of every Negro voter who can be gotten rid of, legally, without materially impairing the numerical strength of the white electorate."

P. F. 2
State Sen. Garland Gray now proposes to go somewhat farther even than the hard-bolled constitution-makers probably had in mind. His bill says: "While making in writing his application for registration the applicant shall not be permitted to refer to any pamphlet, booklet, or other memorandum, printed or written, nor to discuss with any persons any matter concerning the requirements necessary in order to register."

If Negroes should register and vote in the same proportion to their total number as white people, they could, and probably would, vote their archenemy, Garland Gray, out of office. A majority of the people of his senatorial district—Greensville, Prince Georges, Surry and Sussex Counties and the city of Hopewell—are Negroes. His home county of Sussex is 65.6 per cent Negro.

BUT, LARGELY as a result of intimidation of one kind or another, only a handful of

these Negroes vote. A fairly reliable clue to the number of Negroes voting in Southside Virginia can be found in the number of votes cast for Dalton in the November gubernatorial election. Elsewhere in Virginia no such pattern can be found in the election returns, but in this area the white vote was about 90 per cent for Almond and the Negro vote was about 99 per cent for Dalton.

In Gray's district the total vote was 7386 for Almond and only 1859 for Dalton. In Sussex County, where Negroes represent nearly two-thirds of the population, the vote was Almond 1618, Dalton 341!

Gray and company would like to stymie the present drive for increased Negro registration. However, they may find the results disappointing. Prospective white voters have no organization to assist them in clearing the registration hurdle, but one can easily picture classes of prospective Negro voters, repeating, under the auspices of the National Association for the Advancement of Colored People, such a memory aid as: "Name-age, date-place birth, residence-occupation now-last year, if where voted before."

The whites who would be discouraged from voting would give the Byrd organization little grief. They would be mainly residents of areas where there are few Negroes to contend with, and young people and newcomers to Virginia—two classes of citizens which the machine is not anxious to see at the polls.



Muse

Blank Sheet Registration In Virginia Is Clarified

News Observer
RICHMOND, Va. (UP)—Attorney General Albert S. Harrison has ruled that the controversial "blank sheet of paper" voting registration bill passed in the recent General Assembly session allows registrars to use printed forms in gathering information from prospective voters, but actual registrations must be made on blank paper.

Harrison also said the law, as narrowly passed by the Assembly in March after a tough fight through the Assembly, required that prospective voters register in their own handwriting but that they could refer to the state constitution while in the process of registering.

The constitution lists the 10 items of information required by a registrant to qualify for voting.

As introduced in the Assembly by Sen. Garland Gray of Waverly, the measure would have forbidden a prospective voter from referring to any printed or written aids while registering. Critics charged at the time the bill was designed to curb Negro voting.

Harrison, in an opinion interpreting the measure, said the law would "result in increased registrations."

Both Harrison and Gray, who commented on the opinion later, agreed that the law provided that "any person who can read or write" should be able to vote without difficulty.

Harrison said the person registering to vote may have in his possession the "applicable provisions of the constitution and code of Virginia" and refer to them "while making application."

"There is no objection to the use of registrars of printed forms or questionnaires," the opinion said, "to determine the qualifications of an applicant as an elector and otherwise obtain information from the applicant needed by the registrar for the orderly registration of voters and maintenance of office records."

He said questions could be submitted to the applicant on forms

to determine whether he had paid proper poll taxes, whether he is disqualified by a criminal record and other questions.

The opinion said that the state constitution "provides no test of knowledge or understanding or education requirement other than that the applicant shall be able to make, in his own handwriting, without aid, suggestion or memorandum, the required application and answer in written questions affecting his qualifications as an elector."

CLAIM NEGROES ARE APATHETIC ABOUT VOTING

Suburban P.S.
NORFOLK, Va. — Apathy is hampering the drive to raise Negro voter registration in the South, launched in March by the Southern Christian Leadership committee headed by the Rev. Martin Luther King, Jr., of Montgomery, Ala.

The drive for a million additional Negro voters is underway in 11 southern states.

It is estimated that Negro registration in the 11 states totaled 1,200,000 in 1956, less than 20 percent of the total registration.

Reports from the various cities have been discouraging.

In Montgomery, the County Board of registrars reported a drop in Negro voter applicants.

Birmingham reported "less since the rallies than before". In other areas, either there was a drop off, or no increase.

Dr. George W. C. Brown, president of the Virginia Voters League, says:

"Our big problem is to find out how to awaken Negroes."

"We will just have to meet and work out some methods and techniques of overcoming the apathy, indifference, complacency."

Voters Crusade states meeting

340 Va
The Crusade for Voting is sponsoring Richmond's first "grass roots" conference 4 p.m. Sunday, Nov. 9, at Fourth Baptist Church.

No high level conference, this is an opportunity for the people — who ultimately make the decisions in a democracy — to express their opinions on the problems facing Richmonders.

This conference is a day-off meeting for 20,000 voters in the city, a goal set by the Crusade for Voting. Richmonders are reminded that poll taxes are payable without penalty from Nov. 5 through Dec. 5.

New Law In Effect Next Year

Voters Must
Re-Register
Every 10 Years

Journal
By THOMAS L. DABNEY

There is fear in Virginia that the re-registration of voters in Norfolk and Richmond every ten years beginning in 1959 may result in a decrease of the electorate in the state which is already shamefully small. The new law was passed by the 1948 General Assembly. Unless leaders in various cities or have died.

Virginia, once regarded as the cradle of democracy, has in recent years been described as "the graveyard" of democracy because only a few people vote. Unless leaders in various

organizations give solid support to groups seeking more voters in every locality in the state, Virginia voters will become smaller percentage-wise.

5-12-13-58
IN 14 southern states in the 1952 presidential election only 39.5 per cent of the potential voters went to the polls. That year the percentage was less than 33 in Virginia, South Carolina and Georgia. Only two states were below Virginia. They were Mississippi and Alabama with less than 25 per cent of their potential vote.

Some leaders are fearful of what might happen in Norfolk and Richmond next year. Individuals in these two cities now on the registration books will be sent a registration form by the Electoral Board which must be filled out and returned if they want their names kept on the books. This simple requirement, if not followed, may result in the loss of hundreds of voters already on the books.

ALERT citizens will not depend on the board sending them this form. They will see to it that the form is sent to them, and then follow through. With people changing addresses, there is a possibility that some individuals will not be contacted by the board.

Another new requirement in connection with qualifying to vote in Virginia is the "blank sheet" form for registering.

Old Voters were given a form to fill out for registration, and in some cases they were given some assistance in filling out the form depending on the local policy of registrars.

PERSONS NOW registering must fill out a blank sheet without any help. The "blank sheet" law was passed by the General Assembly this year, and it became effective June 27.

Virginia voters are also required to notify the general registrar in their community of a change of address. This is of

special importance when moving from one precinct to another. Voters should also notify officials when moving from one city to another or from one county to another in the state.

PERSONS MOVING into Virginia from other states should qualify to vote at the first opportunity. Virginia law requires a person to live in the state one year, in the city or country six months and in the precinct 30 days before he can vote.

Absentee voting is also possible in Virginia. Qualified voters who are confined to bed by sickness or some disability can arrange to cast their ballots in any election for which they are qualified otherwise to vote. But they must write to their registrar for forms to request the ballots for voting.

VIRGINIA is one of the poll tax states: The poll tax is \$1.50 a year, and it has to be paid six months before an election. New voters are required to register 30 days before an election. All persons must pay the last three years of poll taxes due to qualify to vote. Individuals who wish to vote in the 1959 elections must pay the poll tax for 1956, 1957 and 1958. The deadline for paying the 1958 poll tax without a penalty was Dec. 5.

Persons who become 21 years old too late to be assessed for the 1958 poll tax can vote next year by getting assessed for the poll tax for 1959 and then register to vote in the regular order. Such persons would not have to pay another poll tax until 1960.

RESIDENTS who are well known or well established in their community are sent their poll tax bills regularly, but thousands of potential voters in Virginia are not sent any poll tax bills. In such cases the individual should go to the treasurer's office of the city or county and be assessed and pay his poll taxes.

There are others who habitually pay their poll taxes

from year to year and never bother to register. There is a third class who start paying the poll tax and then drop in the delinquent class, and a fourth class pay the poll tax each year and have registered, but fail to go to the polls on election day and cast their ballot.

The Virginia State Conference of NAACP Branches, the Virginia Voters League, the Civil Liberties department of the Virginia Association of Elks and civic organizations, churches, fraternities and other groups in Virginia localities would like to see more Virginians qualified to vote and actually participating in every phase of the government at the local, state and national level.

Virginia Law Road Block For State's Negro Voters

34C
By VICTOR CALVERTON

RICHMOND, Va. — (ANP) — Road blocks and Hitler-like tactics by the ruling political machine in Virginia against voting is likely to push the state further down the scale of political activity, observers said here this week.

One of the road blocks to voting referred to is the state's new law requiring re-registration of voters in Norfolk and Richmond passed by the General Assembly in 1948. The law which becomes effective in 1959 requires re-registration of voters in the two largest cities in the state every 10 years.

The other road block is the new law requiring new voters to fill out a black sheet in order to register. This law was passed in 1958 and became effective last July. Whereas persons seeking to register heretofore were given a form indicating what information they had to furnish, now they will be given a blank sheet to fill out without any help.

Only 39.5 per cent of the potential voters cast their ballot in the presidential election in 11 southern states in 1952. That year was a high water mark in voting in the South. But the per cent of the voters who went to the polls in Virginia, South Carolina that year was only 33 per cent.

Two states only had a worse record in 1952 than Virginia. They were Mississippi and Alabama with less than 20 percent of the potential voters in their jurisdiction casting their ballot in that election.

What will happen in Norfolk and Richmond next year when the new law goes into effect is worrying social service leaders, civic leaders and ministers, teachers and other professional groups. Unless local organizations step up their current efforts to get the masses to qualify to vote and become interested in participating in the government at the local, state and national level, hundreds of Negro voters will be lost in the state.

Virginia has 2,186,000 citizens of voting age. About 546,250 of these are Negroes, yet there are less than 150,000 qualified Negro voters in the state. Tackling the big job of getting more Negroes to qualify to vote are the Virginia Voters League headed by James P. Spencer, the Virginia State Conference of NAACP Branches, W. Lester Banks, executive secretary and the Elks and several local civic organizations all over the state.

Candidates Lose In Virginia But Thousands Go To Polls

PORTSMOUTH, Va. — (ANP) — Atty. James E. Overton, Negro candidate for city council, lost the election, but he polled more votes than did the incumbent, William H. Hinton.

Overton polled 2,600 votes to Hinton's 2,000 votes.

Overton, whose 'single-shot' campaign assumed massive proportions in five of the city's 16 precincts did well in at least three others.

The attorney built up substantial vote margins in predominately Negro precincts.

His campaign leaders made no secret of their strategy: the single-shot campaign, a well-organized transportation system, to get as many voters to the polls as possible.

MANEUVER FOR VOTE

In Richmond, quiet maneuvering on the part of several candidates for city council for Negro voter support was seen.

The overtures were made indirectly because some felt that support by Negro groups brought too much into view of tensions developing out of integration-segregation issues.

Negro voters turned out in large numbers to support Negro candidates Atty. Howard H. Carwile, and Dr. I. A. Jackson, Jr. The two finished 12th and 14th, respectively, after leading through early returns.

Two other Negroes, E. R. Morris and Grover C. Grant, who urged supporters to vote for a full ticket instead of following a solid shot program, ran well down -- 17th and 18th in a field of 18.

Integration Wins Vote In Virginia

CHARLOTTESVILLE Va., June 12 (UPI)—White parents facing an integration showdown have voted 177-128 to let their children go to class with a few Negroes here rather than see the school shut down, it was disclosed today.

However, 138 other parents questioned in the poll did not vote.

The Parent-Teachers Assn. of Venable Elementary School made public the result of a survey in which parents were asked to choose between a "measure of integration" or a "closed public Venable school."

The results were 177 for partial integration; 128 for closing the school and 138 not voting.

13 Negroes Apply

Thirteen Negro students have applied for September admission to the school under an order by U. S. District Judge John Paul for Charlottesville to desegregate its schools next fall.

There was no official comment by city or state leaders on the poll but it brought immediate criticism from segregationists here.

"The questionnaire solves nothing," said Robert Ready, who ran for the city council on a segregationist ticket last year.

"If the question had read: 'Do you favor integration or the closing of the school?' he said, 'the results of the poll would have been different.'

There is no such thing as partial integration," he added.

Ready said the 138 who did not respond "realized there was no choice and did not feel the question justified an answer."

Mrs. Morris Brown, head of the Council on Human Relations here, said the outcome of the poll was gratifying.

Superintendent Silent Results of the poll were turned over to the school board at its regular meeting tonight but School Superintendent Fendall R. Ellis made no comment.

He said, however, that the board will not consider the applications of the 13 Negroes seeking admission to Venable school, nor those of 17 other Negroes who seek admission to other Charlottesville schools, before July.

Gov. J. Lindsay Almond was not available for comment. However, when told that the poll was being conducted last week, he said he did not understand "a measure of integration" and asserted that "there is no such thing."

Weakness Of Virginia Negro Voters Cried

RICHMOND, Va. — (ANP) — The voting strength of Virginia Negroes is too small in various sections of the state to elect either a Negro to public office or even a white candidate who is too liberal on the race issue for white voters. That was brought to light in the recent councilmanic election in Richmond and Portsmouth.

Another weakness of Negroes was also revealed in the local election campaign. Negro leadership is too divided and antagonistic. Too many Negroes in Richmond, as in other localities, want to be the official leader. And candidates or groups will not get together to work out a program as that one candidate will run for office with the blessing of all.

The voting strength of Richmond Negroes is about 11,000. It takes from 8,500 to 10,000 in the average campaign to elect a candidate to public office. Two Negroes ran in the June 10 councilmanic election - Dr. A. T. Jackson and Grover C. Grant. Both ran on an independent ticket and both were defeated. The two candidates together did not poll 8,000 votes.

Atty. James E. Overton lost his bid for a seat on the city council in Portsmouth. He ran as an independent, and was virtually drafted by a Negro civic organization which he heads. There are less than 4,000 qualified Negro voters in Portsmouth, too few to elect a Negro candidate who, these days can't pull enough votes from white people. Old timers in all Virginia localities say there are too many Negroes who want to be the leader.

The Virginia Voters league, sole state-wide organization in the South working to increase the voting strength of Negroes excepting the NAACP, is trying to double the voting strength of the race. There is less than 100,000 qualified Negro voters in Virginia. The poll tax is \$1.50 a year, and until the new "blank sheet" registration law was passed to disfranchise Negro citizens, Virginians had to register only once in a lifetime.

Blank Paper Slows Virginia Registration

Voters registrations are trickling in under Virginia's "blank paper" law with numerous objections on the time it takes.

"The old way was much faster," said Mrs. Lucretia Buckley Fairfax County registrar.

The "blank paper" system, designed to keep "Negro voters" from the polls, went into effect last Wednesday. But early statistics from some localities show that the purpose is not being wholly successful. Some white persons have failed to meet the requirements, while many Negroes have registered successfully.

More Time Needed

"The only noticeable difficulty," Mrs. Buckley said, "is the additional time it seems to take the applicant to register under the new system."

Under the law, the person who applies is given a small piece of paper with legal instructions printed on it and a blank piece of paper. The instructions, which require the listing of 9 or 10 answers on a blank paper is the only help given the applicant.

Only six persons, two of them Negroes, have registered in Fairfax so far under the new system, Mrs. Buckley said.

Fall Increase Expected

But when the fall elections come up, applications should increase sharply, she said.

Mrs. Buckley said her office is planning to give applicants an opportunity to take the instructions home for study before they fill out the blank paper.

The information has to be written out on the blank paper while an employee of the registrar's office is present, though, she added.

"It cannot be written at home and then brought in," she said, explaining that the take-home system seems "the only way to avoid long lines."

Four persons registered during the week in Alexandria. Fred S. Pettitt, Alexandria registrar explained:

"They've got until about October 1 to do it. I don't imagine they want to come out in this hot weather."

Only one prospective registrant was turned down in Alexandria, and that was because

FACIS NEEDED FOR REGISTERING IN VIRGINIA

Many prospective voters have been confused about what is required by the legalistic language in Virginia's new "blank paper" registration law. Here are the items which have to be listed in registering:

Name, age, date of birth, place of birth, residence now, occupation now, residence the year before, occupation the year before, and whether the applicant has voted before. If the applicant has voted before, he has to list the State, county and precinct in which he voted last.

the man hadn't paid his taxes Mr. Pettitt said.

Re-registering Unnecessary

Another man registered under the new system, and then remarked that he had registered under the old system, Mr. Pettitt noted.

A voter doesn't have to register again if he already is on the books, he said.

As for oral questions, Mr. Pettitt said about the only one he would ask would be: "How long have you lived in the State of Virginia?"

That, he said, would be to determine whether the registrant owed any taxes.

He said he didn't know what he would do if a registrant misspelled words in an application but that he probably would refer it to State authorities.

In Arlington, 14 persons have gone through the registration procedure, 13 white and one Negro. All passed except one white man. All registrations were handled at the central registrar's office.

Sponsors of Virginia Voting Rules Were Candid About Motives

By MARY LOU WERNER
Star Staff Writer

A glance at history should settle any doubts about the motives behind Virginia's "blank paper" voter registration plan.

With far more candor than one finds today, the framers of the registration requirements in the State constitution admitted it was their purpose to bar as many Negroes as possible from the polls.

The "blank paper" bill pending at the current General Assembly session calls for strict enforcement of the registration procedure that became law when Virginia's constitution was adopted in 1902. That procedure was born of a fervent Dixie desire to get around the Fifteenth Amendment to the Federal Constitution guaranteeing equal voting rights to white and Negro citizens.

Three registration prerequisites were written into the constitution at that time, and are still there today.

One is the provision for a poll tax, which so often has been singled out by critics as the State's major deterrent to voting.

The second, upon which the "blank paper" law is based, provides that prospective voter must register in his own handwriting "without aid, suggestion, or memorandum, in the presence of the registration officer, stating therein his name, age, date and place of birth, residence and occupation at the time and for the one year next preceding, and whether he has previously voted, and if so, the State, county and precinct in which he voted last."

The third requirement—which could bring about even more havoc than the second—specifies that the prospective voter must answer "any and all questions affecting his qualifications as an elector submitted to him by the registration officer."

These three requirements were known as the "Glass plan" at the time of their adoption 56 years ago, taking their name from the late Senator Carter Glass who was a delegate to the constitutional convention.

'Compromise'

The plan represented something of a compromise of a variety of schemes offered to curb Negro registration. It was a compromise, however, that favored the position of Southside representatives who wanted more than a white majority. They wanted a white voting supremacy strong enough to remove any Negro influence from elections. The key requirement at that time was considered to be the "understanding clause," which allows registrars to question prospective voters. The "blank paper" provision or literacy test as it was called in those days, was thought inadequate by the Black Belt delegation.

Just before the final vote was taken at the convention, Senator Glass summed up his plan as follows:

"This plan of popular suffrage will eliminate the darky as a political factor in this State in less than five years, so that in no single county of the Commonwealth will there be the least concern felt for the supremacy of the white race in the affairs of government."

He predicted that his suffrage plan would "inevitably cut from the existing electorate four-fifths of the Negro voters. That was the purpose of the convention. That will be the achievement."

A questioner wanted to know if it would not be done by fraud and discrimination. Senator Glass replied:

"By fraud, no. By discrimination, yes. But it will be discrimination within the letter of the law, and not in violation of the law. Discrimination, why that is precisely what we propose. That is exactly what this convention was elected for—to discriminate to the very extremity of permissible action under the limitations of the Federal Constitution, with a view to the elimination of every Negro voter who can be gotten rid of, legally, without materially affecting the numerical strength of the white electorate. As has been said, we have accomplished our purpose strictly within the limitations of the Federal Constitution by legislating against the characteristics of the black race and not against the race, color, or previous condition

of the people themselves. It is a fine discrimination indeed, that we have practiced in the fabrication of this plan."

The Horrible Example

Then, as now, the City of Washington was a favorite case in point on the race issue.

John W. Daniel, delegate from Campbell County, told his colleagues to "look across the Potomac to the Capital City of this Nation" for an example of Negro voting strength. "Colored suffrage came, and presto, change. The Republican Party found the City of Washington in such condition that it was compelled in decent response to the opinion of other nations and in decent protection for the property and lives and character of her people who live there, to make a deep and fundamental change. . . . It cut the Gordian knot by taking away all right of suffrage from white men and colored men alike."

Mr. Daniel said Washington was the "most complete exemplification of absolute government that anywhere exists on the face of the earth. It only shows, gentlemen, the plain, naked truth, that whenever the Anglo-Saxon is brought to confront the real thing and must submit either to social degradation or loss of liberty, they will accept tyranny rather than they will accept social degradation."

Minutes of the convention show that Mr. Daniel received "great applause."

One of the most outspoken proponents of the strictest possible limitation on voters was A. P. Thom of Norfolk City, which in those days was more akin to Southside Virginia than its present metropolitan character would indicate.

Mr. Thom was adamant that the constitution should have a permanent understanding clause and not a temporary one as proposed by turn-of-the-century moderates. He said the question was not the creation of a white majority—"but the question is the removal of the black man as a poisonous factor in the politics of the State."

Scorns Literary Test

Mr. Thom scorned the literacy

test as a sole requirement for registration. Of the total Negro vote of approximately 140,000 in 1902, he estimated one-half could read and would be able to write registration applications. He further warned that the illiteracy rate among Negroes was declining rapidly.

"It is this fleeting and disappearing qualification that we people of the Black Belt are asked to accept as the solution to our troubles," continued Mr. Thom. "Can it be wondered at that we hesitate? Can it for one moment be wondered at that we are unwilling to surrender the first opportunity we have had for 30 years to escape from under the burden of this curse?"

With a frankness uncommon in modern race discussion, Mr. Thom confessed that he did not expect the understanding clause to be wielded impartially.

"I do not expect an understanding clause to be administered with any degree of friendship by the white man to the suffrage of the black man," he said. "I expect the examination with which the black man will be confronted to be inspired with the same spirit that inspires every man upon this floor and in this convention. . . . I would not expect for the white man a rigid examination."

Voice of Protest

William Gordon Robertson of Craig County, Roanoke City and County, presented the view of the gentle mountain folk that "voting rights should be restricted as little as possible." There are few in Virginia today who would dare rise to defend Negroes as he did when he spoke against the understanding clause:

"It does seem to me that the very fact that we recognize that we are the superior race ought to make us hesitate a long time before we decide any injustice to the inferior race. So far as I am concerned, throughout my life I have always felt more impelled to be just to the man who is beneath me than to the man who is my equal or my superior."

Mr. Robertson described the Negroes as "this poor, dull, docile race of creatures who certainly did not bring themselves here. We excuse ourselves for having them by saying somebody else brought them to this country. Whoever brought them, our ancestors purchased them."

He said he did not believe a single delegate at the convention would be willing to "do dirty work" personally to keep Negroes off the registration books, yet they proposed the understanding clause with the expectation that registrars would favor the white man.

"Here is the poor, pitiful result that we present to the world . . . The best thing we can do to get around the Fifteenth Amendment is to appoint men in every county who will use favoritism towards the white man as against the black man."

Mr. Robertson and his allies failed in their attempt to kill the understanding clause, and it was put into the constitution along with the literacy or "blank paper" test.

In recent years, the understanding clause has been put to little use. And the literacy test in many parts of the State has been reduced to the filling out of prepared registration forms—an expedient brought by the increasing numbers of new voters.

The Gray Proposal

Now, Senator Garland Gray of Waverly and eight other Southside Senators propose to put new teeth into the literacy regulation by specifying that prospective voters shall receive only a blank sheet of paper on which to write their registration applications. An amendment, indorsed by Gov. Almond, would allow registrars to show applicants a copy of the constitutional requirements when they apply, but the applicant could not keep the list of requirements at hand when writing down the necessary information.

All Senator Gray is saying publicly about his motives is that the constitution should be enforced.

But the leanings of the sponsors and the recent announcement of a stepped-up voter registration drive by the National Association for the Advancement of Colored People draw a picture too obvious to ignore.

There is, however, a possible turn of events that even some 1902 convention delegates recognized.

R. L. Gordon of Louisa put his finger on it when he asked: "Wouldn't it be a very easy matter for a smart Negro lawyer or a smart Negro preacher—and there are a great number of them who are very smart—who felt a great interest in the question of Negro suffrage, to hold schools and go around and train them up, teach them enough to get

his examination, while the and ignorant white class have had this same cause there would not amount of interest to people. . . . That it suggests itself."

Boomerang For Bigots' Spurs State Registration Almond Backs Registering Aid

By CHESTER M. HAMPTON
RICHMOND

In much less time than it took Uncle Sam to get the Explorer into the air, the "Boomerang for Bigots" was launched this week and is presently hitting over the heads of Virginia segregationists. The necessary to launch the boomerang arose last week when State Senator Garland Gray introduced a bill which would halt the registration of voters on printed questionnaire forms and require them to fill in the necessary information from memory on a blank piece of paper.

Opinion among Richmonders, even rabid segregationists, is unanimous that the bill is designed to retard the registration of colored voters.

No less than five organizations announced this week that they were starting educational programs designed to blunt the intended effect of the bill.

ALTHOUGH THE bill has not yet become law, Levin Nock Davis, secretary of the state board of elections, ordered all local registrars to stop using the printed questionnaire forms and require registrations on a blank piece of paper.

The registrant is required to write the following information: Name, age, date and place of birth, residence and occupation at the time and for the one year next preceding, and whether he has previously voted, and if so, the state, county, and precinct in which he voted last.

Two state-wide groups, the Virginia State Elks association and the Virginia Voters League Inc., immediately started drives to inform their members of the requirements and help them to get them.

D. Ealey is director of activities for the Elks; [unclear] is secretary for [unclear]

Eggleston Hotel. Henry McDougald, president, said that starting dates will be announced.

Amos Clark, field secretary of the Richmond Civic Council, announced that his organization will also set up classes for prospective voters.

Grover C. Grant, who heads the "Our Neighborhood Association of the Randolph School Area," said that his group is committed to a "push" for increased registration among colored citizens.

He says special methods are being devised to meet the "challenge of the Gray bill."

SO FAR, NO announcement of classes has come from the NAACP—the organization segregationists feared would be the sole initiator of action.

In fact, the News Leader said editorially last week:

"These Negro citizens have available to coach them a well-heeled, well-organized outfit in the NAACP, and the NAACP, by its own boast, is determined to register Negroes by the thousands."

In so saying, the paper voiced the fear of many local racists who fear that the blank-paper registration move would penalize white voters equally or more so than colored.

Representatives of the American Association of University Women, the League of Women Voters and the Richmond Diocesan Council of Catholic Women all opposed the new bill.

Their opposition was based on principle, rather than race.

RICHMOND, Feb. 24 (AP) Gov. J. Lindsay Almond endorsed an amendment to the controversial "blank sheet of paper" registration bill today to permit prospective voters to use the state constitution as an aid in registering.

The sudden reversal of the Administration's stand paved the way to settling the issue as the General Assembly headed into its final two weeks with bulging calendars and a heavy load committee work. The amendment will be introduced at the next meeting of the House Privilege and Elections Committee by Danville Del. C. Stuart Wheatley.

It will soften the bill introduced by Sen. Garland Gray of Waverly to require that registration be completed without aid on a "blank sheet of paper."

Almond, in a letter to Del. Robert Whitehead, said the amendment to the bill "would not call for a memory test" and would place a "reasonable interpretation on the Constitution."

Wheatley's amendment would require the registrar to furnish upon request a copy of Section 20 of the Constitution showing the required 11 items of information for registering.

Under Gray's bill as it emerged from the Senate after sharp debate, the prospective voter would have had to memorize the items and write them on the blank sheet of paper without help.

Among other legislative actions today, the Senate Finance Committee approved by a vote of 16-1 legislation requested by Almond to

tighten Virginia's package of school segregation laws enacted in 1956, according to the Associated Press.

[Sen. Mills E. Godwin Jr. of Nansemond told the committee the bill would change the present law to require that both the local school board and local governing body would have to request the Governor to release a school he has taken over to prevent integration.

[The bill also would make it permissive for the Governor to grant such a request. Under present law the Governor must comply with the request.

[The committee vote was taken in secret and it was not made public which member voted against reporting the bill.]

Blank Paper Registration Bill Enacted

By a Staff Reporter

RICHMOND, March 5—The Senate sent to the Governor today a bill prohibiting the use of printed voter registration forms.

The bill, when originally introduced, would have also prohibited prospective voters from using any reference materials while registering on a blank piece of paper. Some patrons of the bill said privately it was aimed at hampering future Negro registrations.

Adverse public reaction materialized and the House of Delegates amended the pro-

posal so that registrars are specifically required to furnish applicants with the information needed to register and permit the applicants to refer to the information while registering. Even so, the bill barely squeezed by the House, 50-46.

The Senate—which rejected amendments identical to those later put on by the House—accepted them quietly, quickly and unanimously.

While the final version of the bill would bar printed registration forms now common in urban areas, it also has the effect of liberalizing registration in those areas of the State which long have prohibited applicants from using reference materials while registering.

Gov. J. Lindsay Almond, when Attorney General, ruled that printed forms were not permissible under the State Constitution and supported the final version of the bill as enforcing the law.

NAACP Leader Charges Refusal Of Vote Rights

Daily News
Jackson, Miss.
Jan. 5-19-58

MILWAUKEE, Wis. (UP) — A Mississippi NAACP leader Sunday charged some Negroes with college degrees in his state are being refused the right to vote on grounds they are "illiterate."

Edgar Evers, field secretary of the NAACP for Mississippi, spoke at a Freedom Day rally observing the fourth anniversary of the U.S. Supreme Court school desegregation decision. He said he and Vice President Nixon have suffered similar indignities.

Evers said Nixon experienced his indignities in South America while "I suffered mine in the southern part of the United States."

He said he was held by police and later insulted and struck in the face for taking a seat not in the back of a bus in Mississippi. "This happened," Evers said, "after I paid the same fare as anyone else for whatever unoccupied seat he may want to choose."

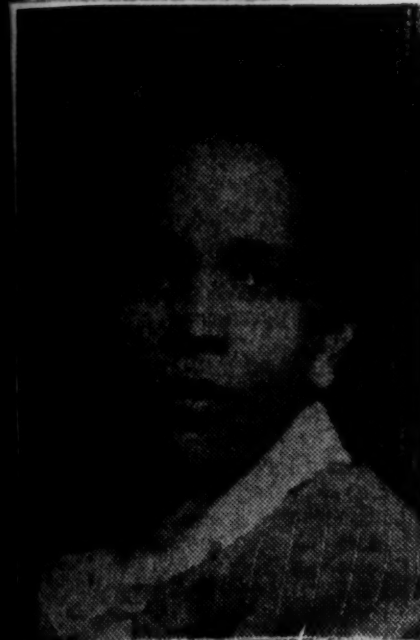
Evers, a young native of Newton County, Miss., said that in Mississippi there are 13 counties which have no registered Negro voters despite what he called a two to one majority of Negroes over whites in five of them. He said some Negroes with college degrees are being refused the right to vote on grounds they are

In referring to President Eisenhower's recent plea to Negroes to be forbearing in the struggle for first class citizenship, Evers said his race has not matched violence for violence. But he added that the President could have brought about "more sternness with the violators of the Negroes' rights as Americans."

Two Named To Atlanta Office Of "Crusade For Citizenship"



REV. TILLEY



MISS BAKER

"In Friendship," New York City, as associate director. Rev. Tilley recently obtained a partial leave of absence from his church to help further the southwide registration and voting drive and Miss Baker, on loan from her position with "In Friendship," has coordinated the activities of the Leadership Conference since January.

Through Dr. Tilley's leadership as chairman of the register and vote committee of the Citizens Committee on Civil Rights Legislation, a community group sponsored by the local branch of the NAACP, Negro registration in Baltimore was increased by more than 16,000 registrants within a twelve month period. Both the techniques and the materials developed in the Baltimore effort have been used successfully in other sections of the country.

As a resident of Baltimore for the past nine years, Rev. Tilley has served the community in many capacities. He is presently vice president of the Baltimore Ministerial Union, a city-wide interracial and interdenominational body; director of Christian Education of the United Baptist Convention of Maryland; secretary of the Maryland Farm and City Enterprises, Inc., treasurer of the Citizens Committee on Civil Rights Legislation, Sunday School expositor for the Baptist Ministers Conference of Baltimore and vicinity, chairman of the trustee board and formerly co-chairman of the Baltimore Interracial Fellowship, formerly dean, and now a faculty member of the Maryland Baptist Center and School of Religion.

FROM NORTH CAROLINA

He is a native of North Carolina and has pastored both rural and urban churches in that state. Since receiving the Bachelor of Arts degree from Shaw University, Raleigh, N. C., he has held the following positions at that institution: college registrar, professor of

he has completed the course and residence requirements for the B.D. and Ph.D. degrees in religious education. His alma mater, Shaw University, has honored him with the degree of Doctor of Divinity and he has been the recipient of scholarship grants from the Slater Fund and the General Education Board. He has contributed articles to educational and religious periodicals, such as the International Journal of Religious Education; and is author of "A Brief History of the Negro in Chicago" and "The Orderly Way: A system of Church Finance and Records."

CHILDREN'S GUILD

His wife is Mrs. Phyllis Jones Tilley, principal teacher in the Children's Guild, Inc., in Baltimore; his daughter, Mrs. Albert Turner, resides in Chicago and his son, John L. Tilley, Jr., is serving in the U. S. Army in Germany. Dr. Tilley is a member of the Prince Hall Masons and the Alpha Phi Alpha fraternity.

Miss Baker brings to the work of the Southern Christian Leadership Conference years of experience in organizational and community work on both local and national levels. As one of the founders and the executive secretary of "In Friendship" she has helped to provide financial and clothing assistance to victims of economic reprisals in South Carolina and Mississippi, and has rendered technical and professional help to southern leaders of the current civil rights struggle. She served as an organizer for the 1957 Prayer Pilgrimage to Washington and as a member of the Mayor's Commission on Integration in New York Public Schools.

From 1951 to June 1956, Miss Baker was a national staff member of the NAACP, serving as an assistant field secretary, working primarily in the south, and as director of branches. In the latter capacity she organized and established the regional leadership. Since then she has been engaged in professional work with such organizations as the New York City Cancer Council and the Salvation Army.

On the volunteer level she has been affiliated with numerous

city and national groups in the fields of race relations and social action. She has served as president of the New York Branch, NAACP, and has been an executive board member since 1947, serving as youth advisor, chairman of the membership and educational committees. For the summer months of 1957, she coordinated a

public education and action program in the interest of improved standards in the New York public schools. This program was conducted under an ad hoc group, "Parents in Action Against Educational Discrimination" and culminated in the September 19 demonstration of some 250 parents before city hall which established for Negro and Puerto Rican parents in New York City a direct line of communication with the office of the mayor and the board of education.

Born in Norfolk, Va., Miss Baker was reared in North Carolina. She is a graduate of Shaw University and has taken advanced courses in the social sciences and community organization at the New School for Social Research and Columbia University, New York City.

The appointment of an executive and associate director to staff religious education, chairman of the division of religion, philosophy and psychology, acting dean of the college of arts and sciences, and dean of the school of religion. For a period of five years he served as president of Florida Normal and Industrial College, St. Augustine, Fla. The Rev. John L. Tilley, pastor of the New Metropolitan Baptist Church of Baltimore, was named Dr. Tilley also has the advanced degrees of Ph. B. and M.A. from the University of Chicago where

In Atlanta Office

Two Appointed To Staff

Leadership Conference

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ATLANTA — The appointment of an executive and associate director to staff its Atlanta office and direct the "Crusade for Citizenship" program was announced this week by the Southern Christian Leadership Conference through its president, the Rev. Martin L. King, Jr.

The Rev. John L. Tilley, pastor of the New Metropolitan Baptist Church of Baltimore was named executive director and Miss Ella J. Baker, executive secretary of "In Friendship," New York City, as associate director. Rev. Tilley recently obtained a partial leave of absence from his church to help further the southwide registration and voting drive, and Miss Baker, a Norfolk native on loan from her position with "In Friendship," has coordinated the activities of the Leadership Conference since January.

P. 19.
THROUGH DR. TILLEY'S leadership as chairman of the register and vote committee of the Citizens Committee on Civil Rights Legislation, a community group sponsored by the local branch of the NAACP. Negro registration in Baltimore was increased by more than sixteen thousand registrants within a twelve-month period.

A resident of Baltimore for the past nine years, Rev. Tilley is vice president of the Baltimore Ministerial Union, a city-wide interracial and interdenominational body; director of Christian Education of the United Baptist Convention of Maryland; secretary of the Maryland Farm and City Enterprises, Inc., treasurer of the Citizens Committee on Civil Rights Legislation, Sunday school expositor for the Baptist Ministers Conference of Baltimore and vicinity, chairman of the trustee board

and formerly co-chairman of the Baltimore Interracial Fellowship, formerly dean, and now a faculty member of the Maryland Baptist Center and School of Religion.

He is a native of North Carolina and has pastored both rural and urban churches in that state. After receiving the bachelor of arts degree from Shaw University, Raleigh N. C., he also served on the faculty. For a period of five years he served as president of Florida Normal and Industrial college, St. Augustine, Fla.

Sat. 21-58
HIS WIFE is Mrs. Phyllis Jones Tilley, principal teacher in the Children's Guild, Inc., in Baltimore.

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DAME PANKHURST, SUFFRAGIST, DEAD

Sept 17
Militant Crusader in Britain

Later Became Evangelist

—Bible Lecturer Here

Sept 2-15-58

SANTA MONICA, Calif., Feb.

14 (AP)—Dame Christabel Pankhurst, militant campaigner for Christ and woman suffrage, was found dead yesterday in the house she occupied alone. She was 77 years old.

New York N.Y.
Honored for Struggle

Dame Pankhurst probably did more than any other one individual to make woman suffrage come true in Britain in 1918. For her struggle she was named a Dame of the British Empire by King George V in 1936.

There were three Pankhurst leaders in the British suffrage movement. Dame Pankhurst first began to accompany her mother, Mrs. Emmeline Pankhurst, on speech-making tours in Britain more than fifty years ago. Her sister, Sylvia, now editor of The Ethiopia Observer, also went on these tours. Their father, Dr. Richard Pankhurst, also had been a crusader for the women's vote.

Born in Stratford, Lancashire, Dame Pankhurst was one of the first British women to pass the bar examination. But Britain did not then permit women to practice law.

The Pankhurst organization was known as the Women's Social and Political Union. Dame Pankhurst also edited and wrote for publications of the movement and made numerous speeches.

For some time the British suffragettes, led by the Pankhursts, adopted a policy of heckling Cabinet members. Dame Pankhurst was first thrown into prison for interrupting a speech by Sir Edward Grey, then Foreign Secretary.

Other suffragists followed Dame Pankhurst's example by breaking up political meetings and were often sent to prison. Sometimes they went on hunger strikes to direct attention to their cause.

Smashed Store Windows

In 1912, many of the suffragettes smashed London store windows with hammers. Dame Pankhurst's mother threw a stone at a window in the home



Associated Press, 1936

Dame Christabel Pankhurst
of Prime Minister Herbert H. Asquith.

The union's headquarters was raided by the police. Mrs. Pankhurst was arrested, along with 100 other women, and sentenced to a nine-month prison term. However, she managed to keep out of jail by going on hunger strikes.

Dame Pankhurst fled to Paris where she lived for the next two and a half years. There was a conspiracy warrant out against her.

By the time of World War I, Miss Pankhurst, a pretty, round-faced girl with tousled hair, was denounced by ministers of the gospel throughout Britain as a menace who ought to be put in jail.

When the war broke out the women ceased their suffrage activities. The prisoners were pardoned and Dame Pankhurst was able to return to London.

In the Nineteen Twenties, Dame Pankhurst became an evangelist. She came to the United States and lectured widely at Bible conferences. She also made many speeches favoring improved British-American relations.

Not infrequently she would speak about the "personal, visible and powerful second coming of the Lord Jesus Christ as foreshown by the present signs of the times." In her later years she still remained active and made occasional speeches.

Dame Pankhurst wrote several books, including "The Lord Cometh," "Pressing Problems of

the Closing Age," "The World's Unrest" and "Seeing the Future."

Senate Gets Herald Tribune Equal Rights

Issue Again New York N.Y. Women Fight Against Curbs

From Herald Tribune Bureau

WASHINGTON, Apr. 5.—A generation-old battle over a proposed constitutional amendment drawn to assure American women complete legal equality with men is expected to resume next month on the Senate floor.

The debate tentatively scheduled for mid-May will inevitably turn on whether the proposed amendment can guarantee women all the legal rights automatically accorded men without knocking down laws drawn by preponderantly male legislatures with the intent of protecting women.

Many male Senators are prepared to say that unless the amendment is revised, it will create more problems for women than it will solve.

Would Run the Risk

Many spokesmen for women's groups are making it clear that they are more than ready to run these risks to win constitutional assurance of equality with men in job opportunities, in pay scales and in treatment under marriage and divorce laws.

Mainspring of the drive is the National Woman's party, a determined group originally formed to fight for woman's suffrage. It turned to the equal rights fight after ratification of the Nineteenth Amendment gave women the vote in 1920.

The first equal rights amendment was introduced in 1923 as the result of strenuous efforts by the Woman's party. The present amendment, reported last year by the Judiciary Committee after tireless efforts by the Woman's party, is little changed in form from the original.

Key Provision

Its key provision is: "Equality of rights under the law shall not be abridged by the United States or any state on account of sex."

The amendment's high-water mark came in 1953 with Senate passage by the requisite two-third majority. But the final product included a proviso sponsored by Sen. Carl Hayden, D., Ariz., which specified that the amendment should not be construed to "impair any rights, benefits or exemptions now or hereafter conferred by law upon the female sex."

Taking the position that the "Hayden rider" would be worse than useless because it would rivet into the Constitution "a declaration of inequality of the sexes," the Woman's party didn't even try for House passage in 1953. It prepared instead for another campaign

Fighting Rider

On the well justified premise that the "Hayden rider" will reappear as soon as the amendment hits the floor this year, the Woman's party is working full time to win Senate commitments against the rider. It now claims pledges from fifteen Democrats and thirty-five Republicans—fifty of the required sixty-four votes—to support the original amendment with no limiting proviso.

Supporters of the amendment cite the fact that its principle has been indorsed by President Eisenhower and has been in every Republican platform since 1940 and in every Democratic platform since 1944.

They hold that addition of the "Hayden rider" would so thoroughly obscure the effect of the proposed amendment as to make it meaningless as a basis for legislation. They argue further that its specific reference to preservation of benefits now accorded the "female sex" unjustifiably sets women apart as a special group.

Labor Opposed

Vigorous opposition to the amendment has come from organized labor, whose spokesmen contend that it would strip away all safeguards designed to protect women workers from exploitation.

Women's groups in business and professional fields are strong for the amendment as a step to give their members more access to choice careers

at the same salaries as are paid to men. The General Federation of Women's Clubs has repeatedly indorsed it. The League of Women Voters has withdrawn long-standing opposition but has refused indorsement.

If the amendment should pass the Senate unchanged, the amendment's backers still face a House battle.

Although 239 members of the 435-seat House have announced support of the amendment, the Woman's party must still contend with the Judiciary Committee, headed by Rep. Emanuel Celler, D., N. Y. No change appears likely in Rep. Celler's steady opposition to the amendment.

"The equal rights amendment should be called the unequal rights amendment, in that it would filch from women hard-earned rights achieved after struggles over the years," Rep. Celler recently told a reporter

Elizabeth G. Rohr

Montgomery County is still feeling the shock of the death last week of Elizabeth G. Rohr, president of the League of Women Voters in that area. Hopelessly ill of cancer and suffering much pain, Mrs. Rohr ended her life with an overdose of barbituates. Her tragedy has left the county with an especially keen sense of its loss.

Mrs. Rohr was one of those indefatigable workers for good government whose energy seems to know no limits. Though she first became interested in the League of Women Voters in Massachusetts, where she served as a vice president, and though her first work with the Montgomery County League was in the fields of Federal taxation and reciprocal trade, she made civic progress in Montgomery County her special concern. As unit organization chairman, she greatly strengthened the League as a political influence without partisan leanings or objectives. As vice president of the league, she directed its research program and made fact-finding a powerful force in the development of county opinion.

In 1954 Mrs. Rohr was executive director of the Charter Committee's campaign to obtain qualified candidates for the County Council. She also organized a School for Candidates to enlighten prospective officeholders about the organization and operation of the county government. Her reliance upon fact-finding processes, her nonpartisanship and great respect for democratic procedures won her the admiration and confidence of many organizations and individuals beyond the

confines of the League of Women Voters. Her passing thus leaves a real void in the Montgomery County civic scene.

WOMEN SHOW GAIN IN OFFICE HOLDING

New York N. Y.
Number in Appointive Posts
Put at Record in Survey—
One Less in Congress

By BESS FURMAN

Special to The New York Times.

WASHINGTON, Aug. 16—A slight decline in the number of women in Congress and state Legislatures but a record number in appointive posts was reported today in the annual Women in Public Service survey of the Republican National Committee.

In state Legislatures there were 311 women in 1957, against 321 in 1956. In Congress there were sixteen, against seventeen.

The report ascribed to President Eisenhower a record of appointing "more women to key posts in the Executive Government, in international affairs and on important committees and commissions than any other Chief Executive in the nation's history."

A total of 165 women were listed as having been "given top recognition." Many, however, were on advisory citizen commissions, not in salaried posts.

Spur to Appointments Seen

Noting that women now held important appointive positions in every state and territory, Bertha S. Adkins, outgoing assistant chairman of the Republican National Committee, credited the party's annual survey with having stimulated Governors aligned with both political parties to appoint more qualified women to office.

"We regularly send this survey to all Governors and they want to make a good showing," she commented.

Miss Adkins said that there was no aim to set women apart, adding:

"But women are comparatively newcomers to the public service and a chart of their progress is needed. It is encouraging to women to see gains they are making and it is helpful to men to see the increasing variety of posts women are holding."

The annual canvass of all

states and the Federal Government, made for a quarter of a century by Mrs. Anne Wheaton, of woman's suffrage, there were went this year into the hands only twenty-nine women in all of Mrs. Ruth Cowan Nash. Mrs. legislatures.

Wheaton, in the first years of the survey, did it for the bipartisan National League of Women Voters. She took it with her when she accepted a job on the staff at Republican headquarters and left it when she was appointed by President Eisenhower as his associate press secretary. She is, of course, now in the listings that she compiled for so long.

Listings Are Up-to-Date

The new survey, so up-to-date that it carries Presidential appointments forward to this month, includes in its listings Miss Adkins as Under Secretary of Health, Education and Welfare, a post she will take Tuesday, and the new Civil Service Commissioner, Mrs. Barbara Bates Gunderson, appointed Aug. 11.

Mrs. Nash, a former Washington reporter for The Associated Press not only gave to the survey, the foregoing record of timeliness, but included for the first time terse and informative thumb nail sketches of all women members of Congress.

Nine sections of the report cover elective and appointive office and career public service. Two sections, clearly designated as political, concern President Eisenhower's appointments and women's progress in the Republican Party.

The headings of the nine general sections are Congress, the Foreign Service, the Federal Government, Judicial Service, State Elective Positions, State Legislatures, State Appointive Positions, County Government and Municipal Government.

Some of the survey details are as follows:

Sixty three women, twenty-six Republicans and thirty Democrats, have been elected or appointed to Congress since 1916 when the first woman, Miss Jeanette Rankin, Republican, was elected in Montana.

In 1923, when official employment reports were first issued by the Civil Service Commission, there were 80,000 women in Federal service. Now there are 533,802, or 24.9 per cent of the 2,142,833 persons on the Federal payroll.

In Most Legislatures

Only seven states have no woman lawmakers this year, Alabama, Arkansas, Georgia,

Iowa, Louisiana, Oklahoma and Wisconsin. In 1920, first year of woman's suffrage, there were only twenty-nine women in all legislatures.

States in which women are listed as holding high appointive positions include Colorado, Dolores C. Renze, State Archivist; Florida, Mrs. Ira Thompson, Commissioner of Motor Vehicles; Louisiana, Mary Evelyn Parker, Commissioner of Public Welfare, and Nebraska, Mrs. Catherine Martin, State Board of Control.

Thirty women in nineteen states are listed as serving in state-wide elective positions. The report gives a special citation to Alabama, where "women have been outstandingly successful in winning and rewinning state offices."

The report here adds the note:

"May Texas Hurt Garner, now Alabama Secretary of State, was nominated in the Democratic primary for State Auditor. Also in that primary another woman, Bettye Frink, was nominated for Secretary of State. Mrs. Agnes Baggett, who was elected Secretary of State in 1950 and State Auditor in 1954, has been nominated for State Treasurer. Miss Sybil Pool, now in her second term as Public Service Commissioner, also is a former Secretary of State."